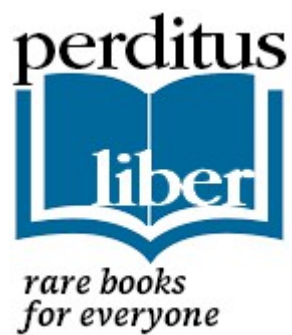


The
Insanity Racket

A
Story
of one of the
Worst Hell Holes
in this
Country



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book:

The Insanity Racket

By

Luther Osborne

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A
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A Note from the Publishers

The writer of this book has lived in Oakland, California, for 45 years and in his present home in Oakland for 39 years. He can be reached by letter at any time and is willing and anxious to assist in any way to improve the conditions of the patients in state hospitals anywhere.

His address is: Luther Osborne,
Oakland, California.

Efforts are being made to form an association or society for patients in state hospitals that may be national in scope, and this paragraph is an invitation to everyone to send in a letter or postal card indicating their approval. This will be used as a membership basis, which will be without dues or expense of any kind.

The purpose of this organization will be to help every patient in a state hospital, who are today the No. 1 forgotten men and women of this state — and possibly of the nation.

The attention of the reader is invited to the last pages of this book which will contain matter not available when the first sections were printed.

AUTHOR'S NOTE

This story is not written as an attack on any individual or any group. It is published as one effort to accomplish some improvement and change in the administration of some of the laws of the state of California, and the correction of some conditions that permit glaring violations of constitutional rights and state laws and the absolute wrecking of human lives.

It is necessary to give the names of some of those connected with the case and to describe the details, because of the nature of the story and the many letters that are used and reproduced. Comments on these letters are made in some instances that they may be more clearly understood.

However, no names of individuals are used without permission of the individuals themselves, when such persons have no official connection with the case. The names of those officially connected with the case are used to explain and clarify the statements and text; these names are a matter of public record and can be learned by anyone wishing to look them up.

Luther Osborne.

Oakland, California.
March, 1939.

FOREWORD

The facts and information contained in this story are published with the hope that some of the details of certain conditions that exist in this state will be more clearly understood by many who do not realize that they do exist — or could exist. The main purpose of its publication is to try to effect in some way an improvement in the laws and the administration of the laws governing the patients in the state hospitals.

The story consists almost entirely of correspondence and is arranged, in part, as a diary of an experience covering a period of over six years. It will, necessarily, contain many repetitions and will attempt to outline an informing record of the experiences of a patient in one of the California state hospitals. A great deal of it has been prepared at irregular intervals and some letters may not seem to have a definite connection with the story, but they are included as having an important bearing on a presentation of the case.

The criticisms, charges and complaints are directed particularly to the ward doctors who handle the cases, the Superintendent, the Assistant Superintendent and the other doctors who make up the medical staff and who direct the policy and control the management of the institution. The other employees have but a limited authority in their own departments and are powerless to correct the glaring injustice to many of the patients caused by mismanagement and the outright violation of law and constitutional rights.

It is the intention to try and describe specific instances of mismanagement and violation of human rights — and the unlawful detention of perfectly sane patients in the institution for periods from one to twenty years, and longer, is one of them.

A paragraph from the “statements” dated January 22, 1935, in another section of this story, is as follows:

“When the average, ordinary, every-day individual, both men and women, perfectly normal and sane, can be locked up under the depressing and distressing environment and conditions that exist in these hospitals, and kept prisoners for years, under the weakest charges, sometimes fraudulent, without opportunity to appeal to a competent, higher authority, it is a disgrace to the state and should not be tolerated. If this is true of five per cent of the patients, or more or less, it is a matter of almost criminal indifference and incapacity and should not be allowed — and it could be easily changed. There should be an occasional and reasonable survey of the activities of the individual doctors employed, and information of the Superintendent’s and Asst. Superintendent’s decisions and activities should be available to the properly accredited part of the public who may have the right to know the details of the management, control and disposition of these cases.”

There are a great many more than five per cent of the patients in one institution who are perfectly sane, who should not have been sent there and who should not be kept there. Some have no means and are physically unable to support themselves; others are physically able to support themselves but have no position open to them and are denied release because they are valuable workers around the institution — they save considerable labor cost and keep the institution full of patients. In some cases they are denied release when a position is secured for them, because they are efficient workers at no cost, or someone does not want them released. They are no different than thousands of others on relief and old age pension rolls.

There are other sane patients there who have ample means for their support, and some with positions open to them, who are the victims, of a plot or a grudge, and they may be kept there for years with the aid of the doctors, and executives of the institution. According to information available, this may be caused by indifference in some cases, and in others it has been shown to be deliberately planned, unlawful and in violation of constitutional rights.

Luther Osborne.

Oakland, California.

March, 1939.

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Luther Osborne, Oakland, California

Printed in U. S. A.

To the memory of
HARRIET ESTELLA OSBORNE
one of the finest
wives and mothers that
ever lived

THE INSANITY RACKET

Extracts from the Constitution of the
United States of America; the
supreme law of the land.

Also, extracts from the Constitution of
the State of California.

CONSTITUTION OF THE UNITED STATES

From Section 1, Article IV, of Amendments:
The right of the people to be secure in
their persons, houses, papers and effects,
shall not be violated.

From Section 1, Article XIII, of Amend-
ments: Neither slavery nor involuntary
servitude shall exist within the United
States.

CONSTITUTION OF THE STATE OF CALIFORNIA

From Section 1, Article I: All men are by
nature free and independent, and have
certain inalienable rights, among which
are those of enjoying and defending life
and liberty; acquiring, possessing and
protecting property; and pursuing and
obtaining safety and happiness.

THE INSANITY RACKET

CHAPTER I

Oakland, California,
March 31, 1939.

To the Readers
of This Book,
Everywhere.

from: Luther Osborne,
Oakland, Calif

Dear Folks:

Do you care what happens to you, or to a member of your family, or to your friends?

Of course you do. Everybody does.

The “insanity racket” is a menace to every family and a destroyer of human rights.

You probably do not believe this. You may have heard some such statement, but, generally speaking, few citizens believe that it exists — or that it can exist. You may have heard it talked about, but the generally accepted belief is “that it can’t be possible.”

When the charge of insanity is made against any individual, he becomes an object of suspicion immediately. Whether the motive is “legal” or a deliberate frame-up, or the result of a grudge or spite work, the stigma of the charge of insanity is fastened upon the individual involved at once. When, in addition to the charge of insanity, he is accused of other offenses, he is under an additional handicap; and these accusations are used in many cases by those who are familiar with the insanity laws and the courts, and who resort to perjury to obtain the commitment of the person charged.

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The insanity racket “works” because of the ignorance and indifference of the average citizen whose general attitude is that “it cannot be possible,” if they give it any thought at all. Statistics of the number of persons committed to these hospitals in California, and the numbers kept there, compared with other states, are startling.

Of course it is admitted that these institutions are necessary for a majority of the patients. Some of the necessary practices and methods of the institution for some of the patients are very objectionable to a sane person, and that is one reason why unnecessary practices and methods that are unreasonable should not be used. This does

not refer to matters that cover a difference of opinion; in many cases it is a plain question of right or wrong — a help or an injury to a patient.

It is, apparently, the policy of the authorities to give first consideration to the wishes of the families, or relatives, or others, even if such wishes are detrimental to the interests of the patient. In some cases patients are kept there for years because some individual does not want them released, after the entire medical staff has decided that these patients are in the proper condition to be released. And in some cases the objection comes from the individual who secured the patient's commitment.

That bribery and graft exists in some of the cases would be difficult to prove, but evidence of mismanagement is plentiful and the unreasonable use of authority is common; the rule is mainly one of fear. There are methods and practices that are unnecessary, unjust and in violation of our state laws, and some of the decisions that vitally affect the patient's interest and welfare are known to be unfair and illegal.

In many cases patients are sent to state hospitals for treatment. Some of the doctors assume the powers of a judge or court and hold patients in these hospitals indefinitely, regardless of the fact that the patient is normal, requires no treatment and is ready in every way for discharge, which the law provides for.

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To make possible the control of conditions that permit it, the facts about the insanity racket must penetrate the minds of the citizens who are wholly opposed to it, but refuse to believe that it exists. It is a formidable factor in the affairs of our state and is functioning in a more or less general way. There is money in it for some and it is organized in such a way that under the right conditions it can be a state-wide menace. It can also be a threat to human freedom and to human and constitutional rights and a vicious threat to family life.

This story is intended to be a request to every citizen to lend their full strength to the effort to purge the state of its vile influence — and that effort is under way in the form of an association for the patients in state hospitals, about which more will be published later.

The right of the doctors to hold a patient indefinitely in these hospitals is not an arbitrary right; their actions must be properly supported, and in many cases they are not so supported. My own case illustrates the injustice and tragic error of their methods.

If my experience could be generally known and the horrors of this kind of imprisonment presented with enough force to the public, we believe action would be taken to prevent these travesties of justice. This experience can happen to anyone, and is happening at the present time to many. And it will continue to happen as long as we tolerate the present methods in the administration of some of the laws of this state.

The question is asked, how can these conditions be changed? And the answer is simple — that competent men and women be put in charge. The welfare, interests and general well-being of the average patient is considered less than the live stock on the

place, and until that sentiment is changed by intelligent management, no particular improvement can be accomplished.

Laws cannot change human nature, but they can help. And with the right kind of human nature in charge at

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these hospitals, the laws would work equitably. Toleration of incompetence and blunders on the part of those higher in authority who could stop it, is a vital part of this problem, and the incompetents should be weeded out and rooted out.

The executive positions in state hospitals call for highclass men and women, and it is more important there than in most other state departments. Those who are more concerned with pride and prestige, than to excel in service and justice, never can be efficient, and they will spend more time in face-saving and posing than in learning the truth about their cases. With competent officials in charge the state would be safer for everybody.

It is intended to arrange the letters and comment that make this story in the form of a day-to-day record, as a diary would be written. In some instances this will not be the case, as some letters written months apart will be grouped together, as they relate to the same subject matter. Others may be placed by themselves regardless of dates, but it will all be done with an effort to produce an informing word picture of the terrible situation a sane patient faces when committed to these state hospitals.

Most all of my records and copies of letters during the first year or more of my stay at that hospital were taken from me during my transfers from one disagreeable ward to another more disagreeable; the idea that a patient has any personal, human rights at all is never considered by those in authority. The earliest date for which I have many tangible, written records is in 1933, and since that time I have kept a record of my experiences with outside friends.

To mention the names of some of the characters in this story is necessary for the purpose of clarity and an intelligent presentation. As already stated, the names of individuals will not be mentioned without their permission, unless they are officially connected with the case and their names are of public record. Some names will be left blank when reproducing letters written to them, and some will

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be addressed by title, as attorney, judge or something similar. The names of individuals are not vital to this story — the prevention of hideous abuses and miscarriage of justice being the important thing. Very few letters to this writer will be reproduced, and most of those of an official nature. They are considered more or less personal, and could help but little, if at all.

The first letters reproduced are among the last ones written. It shows the efforts made by outsiders to keep a sane person in that God-forsaken place, and the record of

the court hearing shows the same effort for the same purpose by the doctors of the institution and of an employee with whom I had worked daily for more than six years.

The following letter to a friend in Southern California, who had been out of the state during my experience, will be followed by others with explanation or comment. This first letter, dated Nov. 30, 1937, will show in a way, the frame of mind of the writer three months before he was released, and the second letter will show in a similar way his frame of mind three months after he was released. The whole series of letters will cover practically five years of what can reasonably be called human misery. If the first year's records had not been destroyed, it would have covered the whole experience.



Imola, California, Nov. 30, 1937.

Mr. Harry Woods,
San Diego, California.

from: Luther Osborne,
Napa State Hospital
Imola, California.

Dear Harry:

Received your Thanksgiving letter of the 25th and was I glad to hear from you! You BET! I am also mighty glad that Frank has written you about my case, and I can send you more surprising and almost unbelievable facts than are contained in the copies he sent you. Your letter was very interesting and I am more than pleased; wish I could do as well in this reply, but as I am so much out of touch with everything we knew so well together before I

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landed in this hole, I suppose I will have to stick to my own troubles for the present in writing, as that seems to be the only way I can make any progress in getting out of this place. Will give you a resume of my case as you suggest, and if you find a repetition of some things in the copies you have read, you will understand it is almost impossible to write you without repeating some statements for clarity and that you may have a better understanding of what I write.

Let us suppose for the purpose of this letter, that I am the average good American citizen, with ancestors for many generations back, good American citizens. Not, that I cannot claim, and prove it, that my record is, maybe, a little better than the "average," but I am writing to show what could happen to any average good citizen of this state. And I write advisedly when I state that my general experience of over six years in the Napa State Hospital could happen to any sane inhabitant of the state of California. The details would differ with different people, but practically any sane person in the state

could be committed to a state hospital for the insane and kept there for years, if conditions are fixed right for that purpose, as they were in my case. This is a broad statement and a serious one, and it is not literally true; of course there would be exceptions, but I am trying to write in a practical way. I am not going to try and prove it now, but when time and conditions permit, I will. And I don't believe 5 per cent of the general public who ever heard that statement, would believe it; I would not have believed it before my actual experience.

The period I am describing is from 1931 to 1937. In 1931 I was 61 years old, my home had been in Oakland, California, for 37 years, and during that time I had been working steadily and continuously for the United States Government in San Francisco for 36 years. In 1895 I was appointed to a position in the U. S: Customs Service under civil service, and after many promotions for efficient and faithful service, I was appointed the Cashier of Customs for the District and Port of San Francisco in 1912. I held this position steadily and continuously, with several increases

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in salary, until October 5, 1931, when I was arrested on a charge of insanity while I was at work in my office in the Custom House in San Francisco and sent to the Napa State Hospital at Imola, California. It is not my intention to write in this letter of the cause of my arrest on this charge nor of the events preceding it. My effort right now is to write of my experience in this state hospital, and, while it must necessarily be incomplete, I will try and make it as informing as possible.

I arrived at the Napa State Hospital in October, 1931, by auto from San Francisco, with a lady patient, her nurse, and a deputy sheriff. I assisted in the care of this lady patient during the trip and was in full possession of all my faculties and perfectly sane, as I have always been during my entire life. I was given what is called the malaria treatment. They inject malaria germs into your blood stream and you develop a case of malaria. This consists of chills and fever that lasts about a month and then you are given quinine to cure the malaria; this treatment takes from seven to nine weeks. After this is over you are given treatments for the blood infection, and after a month or two you are put to work; the work here they call "occupational therapy." (?) It is the ordinary work of the large farm or ranch. There are about 3500 patients here and about 2000 are working every day — maybe more. Calling some of the work here "occupational therapy" is more or less of a joke. Most of the real work is done by the patients, and it is just plain, hard work. The employees in most cases supervise the work and act as guards. The farm work, the orchards, chicken and other ranches, cleaning stables and yards, in the shops, main building and cottages, in fact, all the real work is done by patients; in a very few cases they are paid \$5.00 a month — maybe 12 or 15 of them. What you could call the small army of workers here are patients who get nothing but their bed and board and cheap clothes, and some of them pay for those; and some of them are kept here for periods of a few years to twenty years and more. It

has been called slavery by many and it has been charged that many are kept here for their labor value regardless of their condition.

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I was sent to work in December, 1931, and in January, 1932, was sent to the dairy here to work and have been working there ever since. I keep the records and do what typing is required, and have been working here steadily and continuously for these last six years — for nothing. Have not been sick a day since I came here, nor for 36 years before I came here, for which I have official U. S. Government records.

When I was through with the malaria treatment I was sent to one of the cottage wards and Dr. Charlesworth was my ward doctor; he has had charge of my case during all of my time here, is the Asst. Medical Superintendent of the institution and is directly responsible for all decisions in my case.

After I had been here a few months I made application to go home and continue such treatments as I needed with my own doctor. I was getting nothing here for my work, of course, but was paying monthly for being here. I was losing hundreds of dollars every month, consisting of my government salary and profits from outside businesses which I had always carried on in addition to my Custom House work. This application was refused, but I continued my efforts and in December, 1932, I was granted a leave of absence, as it is called, and made arrangements to continue my treatments at home; that was after I had been here one year and two months, and many are not kept that long.

Dr. Charlesworth arranged for my release and when I was all ready to go, he told me my son refused to sign an agreement of some kind which they require for patients under treatments. On this technicality I have been kept here ever since — five long years.

This is the outline of a fact; I have suffered what one could reasonably say has been five years of false or illegal imprisonment. Also, it is reasonable to say that I have lost an unknown number of years of my life span. It is physically impossible for a person of my age to spend years in a place like this, when he has a fine home to live in, without

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some bad effect. And from the financial standpoint I have lost many thousands — \$2,400 a year in salary alone, as much or more a year from my business investments and activities and the loss of a restaurant appraised at \$12,000, with every possibility of a greater value during these lost years.

You have learned many of the details of my experience here from the copies of letters. I feel very bitter about it all, of course, and blame Hamilton, Dr. Charlesworth and Bill for these years of misery for my wife and myself, because this misery hastened and probably caused my wife's death at 59. Frank calls it "legalized murder" and says it is as clear to him that they caused the misery that was the all-important

factor in her early death, as if they had used a gun; he also says that Dr. Charlesworth was more responsible than anyone for my long detention here, and that my wife had the same opinion and blamed him for breaking up her home that she had lived in happily for thirty-six years.

The wonder is that a condition of this kind can exist in this state or in this country. Clarence Darrow, the eminent attorney, is on record as stating that the California insanity laws are the worst in this country, and other attorneys say this institution is not managed and operated in accordance even with these state laws — as I have written in a former letter. That a few doctors have the power and authority to keep a sane person here for years for no good reason at all, or for any reason, was certainly not provided for in the California laws. I don't believe that it was lawful to keep me a prisoner here for years (after the medical staff had granted me permission to go home) because my son refused to sign some agreement, which, by the way, he said he refused to sign because Dr. Charlesworth told him not to. I have been told that even this is not provided for in the California laws; that it is a violation of constitutional law, and that the procedure is plainly an unlawful one.

When I was granted permission to go home in December, 1932, by the entire medical staff, of which Dr. Charlesworth

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was a member, nothing had been said about any serious condition I was in or ever had been in. There was no more fuss about my release than about any other patient being sent home. My youngest son, Ray, wrote to the Superintendent about taking me home and it was granted at once. When my older son, Bill (for whom Ray was working), learned of this, he objected at once. At first Ray made the excuse that he was so busy he could not comply with the terms of the agreement he was to sign; then he told me he would lose his position with Bill if he signed for me.

When Frank investigated my case so thoroughly he learned that at this time Bill made some arrangement with Dr. Charlesworth to keep me here. Bill later told me that Dr. Charlesworth told him not to sign for me, and I reported that to the Director of Institutions.

Anyway, I was not allowed to go home in December, 1932, and in the early part of 1933 Mr. J. J. Kelly, who had worked with me for 30 years in the Custom House, made application for my release, and agreed to sign for me and comply with every requirement. This was refused and Dr. Charlesworth said I was in a serious condition; I was working all the time and never felt better in my life. He continued to block every effort I made to obtain my release and Frank said he had evidence to prove that Bill and Dr. Charlesworth were working together to keep me here, that the doctor was purposely making my case a serious one for that purpose and was probably making the record of my case show up as bad as possible. This, I suppose, is the clinical record he has shown other doctors, in my case.

I have written in this letter about “treatments,” which consist of medicine being injected into the blood stream for the cure of blood infections. I want to write something about the treatment and handling of patients in the general sense; how the intelligent, ordinary, daily care of patients is important and how little or no attention is given to that here. In other words, in some cases, it is persecution instead of treatment. Rigid control, denial of

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liberty, absolutely no recognition whatever that a patient has any rights, human or otherwise, and punishment at times for no reason at all. Of course, this procedure would not be tolerated outside; it is humiliating and even insulting, and brings out clearly the helplessness of the patient. I have been treated shamefully in a state institution by state-employed doctors, and one of their chief duties is the protection of the patient. I have been punished outrageously (not physically) for no good reason at all, have never committed a criminal act in my life but am treated as a criminal, and have been a good citizen of the state for 43 years — and a taxpayer for 41 years.

When I look back over what are to me the last six wrecked and wasted years of my life, and forgetting for the moment my personal experiences, I see the victims of something so sinister and corrupt that one shudders at the menace; I am referring to sane persons sent to this institution by conspiracy, grudge or for some reason equally as bad, and kept here for years with the help, connivance or indifference of state doctors and officials. It is probably an under-estimate to say that 15 to 25 per cent of the patients here are perfectly sane. And the management of the unfortunates who belong in an institution of this kind is no credit to the state. I know the history of some of the sane patients here. Some are ambitious and making every effort they can to get away from the place; others are deserted, dejected, forlorn and forgotten men and women who are pitiful in their resignation, hopelessness and helplessness, and still are heroic when you consider the awful thing that has been done to them.

You will find enclosed more copies of my letters to Frank of recent date. Hope to hear more from you before long and may write you again any day if there are any new developments. I hope to get home very soon, within a month or so, if our present plans are successful. If you want me to send information about anything special, let me know. This letter is a long one and I can't seem to write about my troubles with fewer words. If it does not mention things that you may wish to know, we will get to them all in time.

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Please accept my sincere thanks for your splendid letter, and I hope to thank you personally when everything is adjusted and my case here is closed.

Wishing you everlasting success and happiness, I am,

Sincerely yours,
Luther Osborne.

In answer to his reply, about a month later, December 21, 1937, another letter was written to this same friend, which brings in matter written to me by my wife's brother Frank Finch, and is shown among the 1937 letters in this story.

The next letter is to another friend in Southern California who has taken a great interest in my case, and who writes that he is going to learn how this thing works in the southern part of the state.

Oakland, California, July 14, 1938.

Mr. Clyde Norton,
Los Angeles, California.

from: Luther Osborne,
Napa State Hospital
Imola, California.

Dear Clyde:

Your letter of July 10th was received yesterday and, of course, it is just what I would have written, or most anyone else. I regret that you could not have read more of the correspondence with Frank and Harry. I am enclosing some copies of letters that may help to give you a clearer understanding of the remarkable and particularly vicious deals that can be put over on a citizen of this state — maybe in other states.

As I have written, the stigma of the mere charge of insanity is very real, and the fact that commitments to insane asylums can be obtained “legally” for no reason other than old age or intemperance, is a disgrace to a civilized community.

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After 44 years of a successful business life, 37 of those years spent in San Francisco and Oakland, in this year 1938, I find myself wondering what possible conditions, or what possible combination of conditions and circumstances exists in California, which permit an experience like mine of the last seven years.

With the traditions of this country in mind and the history of California so well known, the first and natural conclusion of almost anyone is that it just couldn't happen, and cannot be true.

That is the honest opinion of many I have talked with about my case, and many have asked me to repeat my statements in more detail, as you suggest. So, for your information I am going to write briefly of the astonishing facts about my experience in one of the state hospitals.

It will be somewhat as I have written before in other letters, and it is impossible not to repeat many statements to different people in the many letters I have written about it.

In October, 1931, I had been a good citizen of the state of California for 38 years — I came here in 1894 — and I had been a taxpayer for 36 years, and during that time my activities are an open record. I had worked continuously and steadily for the U. S. Customs Service in San Francisco for 37 years, and had lived continuously in one house in Oakland for 32 years, which is still my present home.

During these 37 years of service for the U. S. Government I had never been sick, and monthly reports of this fact were forwarded to the Treasury Department at Washington, D. C. During these years I was one of the real workers in the Customs Service and received many promotions. Also during these years I raised a family of three boys, two of whom were in the war of 1917, the third having married.

I do not mean to write the above in a boasting way; many others may have as good a record or better. What I am anxious to impress on those to whom I explain these

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details, is that the average good citizen can be handed a jolt like this in a “legal” way. So read on — and weep.

On October 5, 1931, I was arrested in my office in the Customs House in San Francisco while I was at work, on a charge of insanity. Without a moment's notice, with the day's work spread out on my desk, I was taken to the San Francisco Hospital. There was no demonstration of any kind; two men came into my office with a complaint. They gave me a copy and asked me to go with them in their automobile, which I readily consented to do; their surprise was no less than my own.

When we reached the hospital, I was put to bed in a room with a bed, chair and table. I was kept there about a week, given examinations and tests, and then taken in another automobile to the Napa State Hospital at Imola, California, about 50 miles from San Francisco.

Upon arriving there I was given what is called the malaria treatment. The malaria germ is injected into your blood stream, you develop a case of malaria, which consists of chills and fever, and after the chills and fever have run their course, you are given quinine to cure the malaria. This treatment takes seven to nine weeks, and when this was over I was sent to one of the wards and from there sent to work at the dairy on the place.

I was sent to the dairy in December, 1931, and worked there steadily and continuously until February 22, 1938 — about six years and two months. Was not sick a day during the time I was at that hospital, and had to go to court to obtain my release, after working over six years for nothing, besides paying the institution monthly for being kept there.

During these years my business interests were practically ruined and I have suffered what can reasonably be estimated, a financial loss of more than \$40,000.00. From a family and civic, social and personal standpoint, the loss can be considered even greater, and no one can estimate the damage from that kind of imprisonment and the wasted years of one's life.

This experience of mine was started primarily by one man who was in a position of certain authority and influence. His motive was revengeful, personal and altogether unworthy; there was no injury suffered by him in any way, yet I was kept imprisoned in a state hospital for nearly seven years by a method that is apparently “legal” under the California laws — and some are kept for more than twenty years.

You ask me WHY; that is what I have been asking for six long years. I have been told by competent authority that my commitment to this state hospital was “legal”; that my long incarceration there was unjust, vicious and absolutely illegal.

The laws of the state of California are for the protection of its citizen and others. These laws do not delegate authority to any state official or to any officer or doctor of any state institution to assume powers contrary to law. In fact, the clear provisions of the laws and their clear intent, are flagrantly violated by some officers and doctors in that hospital.

The state hospitals are in a class by themselves when you consider the vast activities of the state government. Practically, most everything else is a matter of business, while in the state hospitals the element of human misery is present in most of the cases, and with some it is a matter of life or death, or the absolute wrecking of a human life.

The many specific details of my case would make too long a letter and, of course, I cannot write them now; the enclosed copies will help. I can write you that I went to this hospital a perfectly sane man; that I was never insane a moment in my life; that there was never an act or an incident in my entire life on which to base a charge of insanity; that examinations and tests showed a blood infection of some kind and that I was kept there for years for treatments that thousands take in their own homes; that I was kept there for years without treatments; that there are hundreds of cases of the same blood infection in normal people in their ordinary routine of life outside, where there is one case in that hospital. And yet I was

forced to stay there, denied my legal and human rights in many ways, and arbitrarily imprisoned with insane patients with complete disregard for my interests, health or welfare. In fact, I was fortunate to escape with my life.

What the incompetent doctors who are handling these cases announce as their conclusions, is appalling in many cases. With a series of tests, examinations and tabulations, they assume to be master of the great untracked mysteries of the human mind, and ponderously decide that one patient has not fully recovered, that another needs constant supervision day and night, and so on to the absurd limit. In many cases there are no tests or examinations of any kind for years, and the victims are kept in the various wards, more as numbers than as humans, doing their share of “occupational therapy.” (?) In some cases this treatment results in death for a patient, and while it

may not be premeditated, it is on the border line of criminal indifference and unpremeditated murder.

Enclosed you will find several pages of statements about my experience, besides the copies of letters, and after it is all over and I am home again, I am wondering how on earth it could possibly have happened — of course, I know, but the wonder is there just the same, that it is possible.

After more than six years in that hell-hole, with the incompetents still handling my case, I was confined in one of the wards in the main building, doing nothing, and herded outside with the other inmates, under guard, two or three hours on some days. During this time my attorneys were at work on my case and had received word in January, 1938, that my son, who could have had me released years ago, was not going to oppose my release, or contest it in any way. Within a month later, some time in February, 1938, through his attorney, he filed an affidavit with the Court before which my case was pending, the last paragraph of which reads as follows:

“That he could not make a home for said Luther Osborne if he were released from said institution, and believes his comfort and welfare are best provided for at said state institution.”

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If that isn't the tops for downright stupidity or perjury, I don't know what it is. No one expected or wanted him to make a home for me, and nothing was more unnecessary. And as for “my comfort and welfare being best provided for at said state institution,” that is about the limit for a ridiculous statement from sane persons in their right mind; it was probably made up by his attorney, but it was signed and sworn to by my son.

If this isn't a “racket,” what is a racket? One eminent attorney is on record as saying that the California insanity laws are the worst in the country. It is also said that these laws are not responsible for the gross injustice to the victims, but the way these laws are administered.

On charges that are sometimes trivial and not proven, and sometimes outright lies and gross conspiracy, persons are committed to state hospitals as insane. The authorities at the state hospital I was sent to make no particular effort to learn anything about most of the cases, and would probably have kept me there for twenty years, or longer, as they have others.

How this can be possible is what almost everyone wants to know that I have talked with — and most of them don't believe it.

I will have to close this rather abruptly (after these four pages) so will not write more now, and you ought to be rather glad of that after you see what I am enclosing. If you read all of it you will have plenty for one lot.

Thanks for your fine letter and let me hear more from you when you can. Hope to see you before many months have passed, and in the meantime will write you more about the last few months.

With a sincere wish for your everlasting happiness and success, I am,

Sincerely yours,
Lou. Osborne.

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As a matter of general information, the letter to my wife's brother is shown next; it was written upon receiving his request.

Imola, California, Aug. 15, 1937.

Mr. Frank Finch,
Seattle, Washington.

from: Luther Osborne,
Napa State Hospital
Imola, California.

Dear Frank:

This is Sunday and in further answer to your letter of August 7th I am going to write you about matters we talked over some time ago. If some of it is not wanted, it will not take much space in your files and you will have it if you can use it; you will also find parts of it a repetition of some matters written you in former letters. I am going to start writing about the time I lived in the East before I came to California — and that ought to be early enough.

In the year 1893 I was living in New York City. In the early part of that year I left by steamer on a trip that took me around South America and through the south Pacific Ocean. We visited the principal cities on the Atlantic and Pacific coasts of South America, the Southern Pacific and Hawaiian Islands, and arrived in San Francisco in 1894. I lived in San Francisco and Oakland the first year, and during that time took the civil service examination in San Francisco for a position in the Federal Government.

In 1895 I was appointed to a position in the United States Customs Service at San Francisco. I was made a U. S. Storekeeper in one of the bonded warehouses and continued in this position for about a year when I was promoted to a position in the Cashier's Division in the Custom House.

Also in 1895, I married Hattie, bought a home in Oakland on the instalment plan and started housekeeping — you will remember that. I raised a family of three sons and my wife's mother and brother lived with us; my wife's mother lived with us from the day we were married until she died in 1920. During these years I engaged in outside

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business in addition to my Custom House work, and at the time of the severe earthquake and big fire of 1906 I owned a half interest in a grain and feed business and

a printing business in San Francisco. After the fire of 1906 I enlarged and incorporated the printing business and took into the company, as a silent partner without investment, the Cashier of Customs, who was then W. B. Hamilton; he was the chief of the Cashier's Division where I was working.

I was given several promotions in the years that followed, and after many changes had been made in the key positions of the Customs Service at San Francisco, I was appointed the Cashier of Customs for the District and Port of San Francisco and Mr. Hamilton was appointed a Deputy Collector of Customs.

In October, 1931, when I was sent here, I was the head of the Cashier's Division in the U. S. Customs Service at San Francisco, my official title being Cashier of Customs for the District and Port of San Francisco.

At that time I had 37 years of continuous service in the U. S. Customs Service in San Francisco. During all these years I was always engaged in outside business in addition to my Customs work and a few years after the earthquake and fire of 1906, had a printing establishment employing over forty men and women.

I might add here that before my trip from New York City in 1893 that took me around South America, I had been to Europe twice, and had traveled through many of the middle, eastern and southern states and had acquired considerable experience. I have been through trying periods and have come in contact with all kinds of conditions and people in this and foreign countries. I don't believe I have ever encountered anything quite as bad as my last six years' experience in this place.

I had been working unusually hard for many years and in 1925 had bought a restaurant business in San Francisco and was managing that in addition to my other work. I had arranged to retire from my Customs position as soon as I had reached the age limit, and had planned to travel

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with my wife for the first long vacation of our married life, when this frame-up was put over. Ever since my marriage in 1895 I had been a hard worker, putting in working days of 14, 16 and 18 hours a day for years. I enjoyed good health and have never been sick, and I have official records for that in the Customs Division in Washington, D. C., where monthly reports of the health of every Customs employee is sent from every Customs port.

I have worked a lifetime to acquire security and a reasonable amount of comfort for old age, and had looked forward for years to the time when I could have more time for family life. One of our principal aims was a long vacation and rest upon my retirement, and practically everything had been taken care of and provided for that purpose.

During the years between 1895 and 1900 I had been running the printing business in Oakland, where I was living, and moved it to San Francisco in 1901. This business had been growing and in 1906, the year of the big fire, I had the office and plant on Sansome Street, which was burned out completely by the fire. During these years W. B. Hamilton had been the Cashier of Customs and chief of the Customs Cashier's

Division, and I had come to know him very well; he was getting orders for my outside printing business from his friends on which I was paying him the regular commission.

After the big fire in 1906, I started the printing business in Oakland again, continued it there until I could find a suitable place in San Francisco, and moved it back in 1908. We had a larger plant than before and incorporated under the name of the Associated Printing & Supply Co. Mr. Hamilton and some of his friends were associated with us and we did an increasing business. The business was profitable and Mr. Hamilton was receiving a good income on a commission basis for years; he had not invested a dollar in the corporation but was getting work for the plant from his friends and acquaintances. This continued until the change of administration and the Panama-Pacific Exposition of 1915. With certain changes in business conditions

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in general and with Democratic control of the Customs Service, Mr. Hamilton did not do so well the following years and eventually gave up all efforts to get work for the printing concern, but wanted his payments for commission to continue. This, of course, was impossible and when his payments ceased from the corporation he was very bitter about it until his death. This bitterness was directed at me and he had tried in many ways to make trouble for me. He had secured the commitment of his son to the Agnews State Hospital, and with his experience and influence succeeded in having me committed to this place.

I learned that Mr. Hamilton outlined the charges that were made against me in the complaint, that he was familiar with the requirements of the insanity laws and knew what charges to make to secure my commitment. He not only induced my son to join with him in this complaint, but made up the most contemptible lies and the most effective ones to put this frame-up over. He knew my wife was not well and would not be told of the details. I was 61 years old at the time, with a 37-year record of good, clean living and industry in San Francisco; my wife knew nothing about the charges until after my commitment. The very charge that should have been known to be false, was probably responsible for my commitment, although the judge stated when he saw me at the hospital, that he would not commit me on any of the charges. He said my tests showed a blood infection and he would send me to the Napa State Hospital for treatment. My letter to the Medical Superintendent of February 19, 1934, explained about this and other charges, but it brought no result. Mr. Hamilton handled the whole case from the beginning, with help from those who felt they had to do as he ordered, as he was the Collector of Customs at the time. He was careful not to be mixed up in it himself in any way, and it is doubtful if he is mentioned at all in the entire record of my case.

I might as well close this letter with a paragraph about the efforts I made to get home when Hattie was so sick. When my wife was taken so sick, the first part of 1935,

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that she could not make another trip up here, I continued my requests for my release. Dr. C. A. Johnson, appointed Medical Superintendent in March, 1935, was taken sick and died in November, 1935, and my case dragged along into 1936. The attorney I had on my case at that time was taken seriously ill and had to move to Arizona, where he died. During the first six months of 1936 repeated requests were made for my release and no attention was paid to them at all. You made many trips up here and tried to see Dr. Scanland but were always turned over to someone who knew nothing about my case. You were probably here a dozen times during June and the first part of July. On July 5, 1936, I wrote to Dr. Scanland that my wife was dying; I had received word through you to come home, and I could not get a word in reply from anyone. No attention was given to me at all, and my wife died July 12, 1936; I received a letter from Bill telling me that she had died, on the day after her funeral.

This was certainly as cold-blooded an experience as anyone could possibly go through, and a condition one would think could not exist, and especially in a public institution like this. In fact, the general public does not believe that the conditions that do exist are possible, and would believe a true description of them to be an exaggeration — or plain lies.

Wrote you a letter yesterday and will get to a few more items on my list in a few days.

I know you are familiar with some of the above, as I told you all about it shortly after it happened, but it will be well to have it in a letter and you have probably forgotten some of the details that I will never forget.

Here's to good luck and best wishes,

Sincerely,
Lou.

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The Director of Institutions is the titular head of the state hospitals and he had written me that he would act on my case with the recommendation of the Medical Superintendent or members of the medical staff; I had been trying to get that recommendation for years.

The members of the medical staff didn't even know me by sight, with the exception of the ward doctor and Dr. Charlesworth, who was the Asst. Medical Superintendent, and, I suppose, would be called the chairman of the conferences held by the medical staff to pass on the release of patients. My ward doctor had voted for my release at these conferences and Dr. Charlesworth had opposed it.

However, Dr. Charlesworth voted for my release in December, 1932, and I was granted a leave of absence, and when my son refused to sign my leave of absence blank I was kept there, of course. It was at this time my brother-in-law learned that my son had made some arrangement with Dr. Charlesworth to keep me there.

The next letter reproduced is the first letter to the Director of Institutions after three years of effort with the Superintendent, the ward doctor and the members of

the medical staff I could reach through friends or by letter.

Imola, California, Jan. 8, 1935.

Director of Institutions,
State of California,
Sacramento, California

from: Luther Osborne,
Napa State Hospital
Imola, California.

Dear Sir:

This letter is from Luther Osborne. I am at present a patient at the Napa State Hospital at Imola, California. My home address is Oakland, California, where I have lived continuously for 35 years.

When I was committed to this institution in October, 1931, I was the Cashier of Customs, in the United States Customs Service at San Francisco, where I had worked continuously for 36 years; entered the U. S. Customs

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Service in 1895. I am now on sick leave, drawing \$100 monthly from our pension fund while I am here; my salary is \$3,500 per year.

I have been advised to present my case to the Hon. Frank F. Merriam, our Governor, and to yourself as the Director of Institutions of the State of California.

I am presenting herewith details and facts of my case, as well as I can with the limited means here, and enclose copies of letters to the Superintendent here, to my ward doctor who is Asst. Superintendent, to William R. Osborne, my son, and to the Judge of the Probate Court in Oakland, California, in whose court my affairs are being administered.

From these letters you can get a fair understanding of my case, and in this letter I state my complaints and some of the outstanding facts involved.

I respectfully request your consideration and your help in securing my release.

I have lived in California 41 years; I have a more or less public record of my work and activities since 1895, when I entered the U. S. Customs Service — I am proud of that record. I have occupied very responsible positions, have been responsible for many millions of dollars of customs collections for many years, and have received many promotions. I would not have believed it possible, had I been told, that the average good American citizen, which I have always been, could have been treated as I have been treated for the past three years.

I am not insane and never have been insane. I have never been sick and my official record in the Treasury Department at Washington is proof of that fact — from 1895 to 1931.

When I arrived here in October, 1931, I was impressed with the importance of the laboratory test of my blood stream. I took the treatments prescribed and co-operated with them in every way — which I have always continued. I have never been sick here, and after nearly a year under

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their treatment and observation, I made application for leave to go home and continue the treatments as long as I needed them. This was granted me, but was blocked by my son, William, as he has informed me, upon the advice of Dr. L. E. Charlesworth, the Asst. Superintendent here.

Since my leave was granted in December, 1932, which I was not allowed to take, I have been unable to properly protect my own health, my home ties, my wife's interests, or my own business and property interests in Oakland, San Francisco and Long Beach, California. My wife is not well and she has not been properly taken care of for the past two years. My teeth are in terrible condition. Under the direction of my dentist in San Francisco I had planned to have them all extracted in 1931, over three years ago.

My experience here has been particularly distressing, depressing and unjust. I have always had splendid and congenial association with everyone here except Dr. Charlesworth. He has been my ward doctor most of the time and everything in connection with my case has been referred to him. On May 12, 1934, he transferred me from an open ward to a locked ward, with loss of privileges, because they "thought" I would leave here without permission. On July 24, 1934, he transferred me to another particularly uncomfortable locked ward in the main building, because I wrote the letter to Dr. Stice, the Superintendent, dated July 23, 1934, and the letter to Dr. Charlesworth, dated July 24, 1934; I am enclosing copies of these letters. I have been denied the liberties that have kept me in good health during my confinement here and have been treated, in a way, as a criminal, and I have never committed a criminal act in my life. To a patient undergoing treatment in a hospital, nothing could be less helpful than my routine here.

I charge Dr. Charlesworth with being responsible for my long confinement here and the consequent inability to get the greatest benefits from the treatments I have been getting.

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I am a perfectly normal man and always have been. I have lost thousands of dollars by being kept here, particularly the last two years. I have written of this more fully in my letter to Dr. Stice of February 19, 1934. What possible reasonable explanation can be made of that I can't imagine. The doctor tells me I can go when my son will sign for me; my son tells me he will sign for me when the doctor tells him I can go (?) and this absurd situation has existed for a year or more. I can never see the doctor with my son — they prevent that. I know only two doctors here — Dr. Charlesworth and Dr.

Johnson. I have only seen Dr. Stice, the Superintendent, at my conference, and my letters to Dr. Stice are turned in to Dr. Charlesworth, the Assistant Superintendent.

My commitment was obtained by fraud and misrepresentation — and worse. I have been here over three years, so they have ample time to know all about my case. I have been the victim of a flagrant violation of human rights and I respectfully ask for a correction and release.

Will you please read the letters I enclose to get a better understanding of my case than I can give you in this letter?

Thanking you for your consideration, I am,

Respectfully yours,
Luther Osborne.

P. S. — As I look over these copies of letters to send you, I realize what an amount of reading it represents. I feel so badly about my treatment here that I want to present every point that I can, so I am sending them all. If someone could read them over and bring the important ones to your attention, that might help.

My three years here have completely wrecked some things of considerable value that I have spent years to accomplish and acquire. Some of the executives and employees here (maybe I mean “one”) have very little appreciation or understanding of the importance of the manner and method of handling certain matters for patients. That incompetency is of serious import in some cases, and it has been my experience here.

L. O.

CHAPTER II

To show what might be termed exquisite mental torture inflicted upon sane patients in this hospital, copies of letters written during 1932, that I was able to keep, and some written in 1933, are reproduced. They also show the utter indifference of those in charge of my case to the principles of common decency or simple justice. It was a daily struggle and almost a fight to insist you were a human being.

It was impossible to see anyone in authority other than your ward doctor, and it was entirely in his hands as to what action would be taken.

The following letters show some of my efforts to obtain my release during my first year in the place, and during this time I learned that my ward doctor deliberately misrepresented my condition in writing to my son; this was written on my letter to my son dated August 19, 1932.



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Imola, California, July 30, 1932.

William R. Osborne,
San Francisco, California.

from: Luther Osborne,
Napa State Hospital
Imola, California.

Dear Bill:

Will you please write the following letter, or something similar, to the hospital and I think it can be arranged for me to go home next week. I am to see the doctor on Monday and then I can let you know just what day to come up. In the meantime if you will get this letter mailed you may hear from the office direct before I write again.

(SUGGESTED COPY)

T. H. Stice, M.D.,
Medical Superintendent,
Napa State Hospital,
Imola, California.

Dear Sir:

I respectfully make application for a leave of absence for my father, Luther Osborne, who is at present a patient at the Napa State Hospital. He is undergoing weekly treatment and he has just completed a series and is now on a period of rest for seven weeks.

It is very necessary for him to have some dental work done, which is the principal reason for this request.

Yours respectfully,
William R. Osborne.

Will write you again Monday. Hastily,

L. O.

Imola, California, Aug. 1, 1932

Dear Bill:

I saw the doctor this morning and he told me to have you write the letter that I mailed you a copy of July 30th, and come up any day this week. If you haven't already

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mailed the letter, you can bring it up with you if you come up within the next two or three days. My teeth are bothering me something fierce and I must have them fixed at once, so the sooner you can get up the better. If you could make it Wednesday morning that would be fine, and come right out to the dairy and I will tell you where to go, but make it as soon as you can.

Hastily,
L. O.

Imola, California, Aug. 18, 1932.

Dear Bill:

I think you will hear by mail from Dr. Charlesworth; he told me today that he would probably write you. I have seen him about my leave and have had a complete tooth examination, the report of which he will probably get today. In my talk with Dr. Charlesworth he was very encouraging and said he would take it up at once. The dentist said I would probably have to have all my teeth removed and said no temporary

work would be of any advantage or benefit. They are aching pretty bad and especially at night, making it impossible to sleep a good deal of the night.

Will you please act on his suggestion as soon as you get them, in the event the doctor writes? I will probably see him tomorrow and if there is anything more for me to write I will get it in the mail tomorrow night. I have had a particularly hard week — or ten days — and must get this work started as soon as I can. Otherwise OK. If you can come up, can't you make it early?

Hastily,
L. O.

Imola, California, Aug. 19, 1932.

Dear Bill:

I saw Dr. Charlesworth this morning and the dentist yesterday afternoon. The dentist said I had a bad case of pyorrhea and told me that I should have all my teeth

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extracted; that he would have them all extracted if they were his teeth.

Dr. Charlesworth wants you to see him when you come up and he will be away this next Sunday — August 21, 1932. He will be here any day during the week and I would suggest that you come up Monday or Tuesday instead of Sunday. Your trip will not take much more than a half day.

Hastily,
L. O.

The above letter was handed in to Dr. Charlesworth to be mailed. He wrote the following note on it and then sent it to my son:

Note: —

8-19-'32.

The dentist reports Luther wants teeth extracted, but the dentist does not think it necessary. Dentist reports a pyorrhea with some recession of gums.

You need not come up especially to see me, but would be glad to see you on your next trip up.

Dr. I. E. Charlesworth.

Imola, California, Aug. 19, 1932.

Dear Bill:

I wrote you this morning and started it at once to catch today's mail; I am trying to get this letter in the same mail, because I don't know whether I wrote enough in detail. I saw Dr. Charlesworth again this morning and he had received the report of the dentist. He said he would not write you, leaving that to me, and that he would be away Sunday — August 21st — but would be here all next week.

He is going to give me a leave of absence and I will probably have my teeth fixed by the dentist who has done all my last work. Please come up Monday or Tuesday morning — Monday would be better, because I am up with these teeth of mine part of every night and can't get anything to stop it.

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Anyway, come as early as you can and you better come right out to the dairy.

Hastily,
L. O.

Imola, California, Aug. 23, 1932.

Dear Bill:

Saw the doctor again this morning about the letter you sent up Sunday, and asked him if he was opposed to my leave, as I had understood from him that he was favorable to it. He said that he did not intend his note to mean that he was opposed to this plan, but he wanted to see you when you came up. The dentist was very clear in his talk with me and told me my teeth were in bad shape and said he would have all of them taken out; there is no question about what he said, and he said the longer I put it off the more poison would be passed into my system. He only confirmed what was told me when I had complete x-rays taken last September, and I told my dentist then that I would have it done sometime that year. My dentist told me a year ago that it was dangerous to delay the work.

Anyway, everybody agrees that they must be taken care of and the sooner the better, and the doctor is not opposed to it, so there shouldn't be any delay here. The doctor asked me when you would be up, and I told him probably Sunday, and he said he would be here and see you.

Please come up Sunday, Bill, and come early if you can. If there is anything more to write about I will do it tomorrow, but I don't know anything more to do about it until you come up.

Hastily,
L. O.

This blocked my effort to be released and this was the third attempt in six months.

The dentist told me he did not tell anyone that “he did not think it necessary,” as I Charlesworth wrote my son.

In November, 1932, I made another application.

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Imola, California, Nov. 21, 1932.

T. H. Stice, M.D.,
Medical Superintendent,
Napa State Hospital,

Dear Sir:

I respectfully make application for a leave of absence to have some important dental work done that has been deferred for a year or more.

At the present time I am a patient at the Napa State Hospital for the insane at Imola, California, and have been there under treatment since the early part of October, 1931 — nearly fourteen months. I have never shown any symptoms of insanity during this period, or before. I have an official record of continuous service for thirty-seven years in the U. S. Customs Service in San Francisco, the last ten or twelve years without rest or vacation. Also, I have never been sick during my thirty-seven years' government service, or before that time.

In August, 1931, I had complete x-rays taken of all my teeth and was advised to have them extracted, which I had planned to do about the time I was sent here. They are in a particularly bad condition now, painful at night and in urgent need of attention; my dentist advises immediate extraction.

If this leave of absence can be granted me, will you please advise my son, who will attend to the necessary details and come after me.

Thanking you for your consideration,

Sincerely yours,
Luther Osborne.

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Imola, California, Nov. 27, 1932.

William R. Osborne,

Dear Bill:

Well, Bill, here's another effort to help fix up this mess of mine — mine, because it has been forced on me, so mine it must be. Whether the effort will be worth the time to write it and your time to read it, I don't know. I expected to see you yesterday because when you were here three weeks ago you said you would probably be up in two weeks, so I am going to try and write what I would have talked about. It is now 2:00 a. m. I am writing this in the washroom because it is the only room light enough to see to write at this hour. I can't sleep and can't even lie down long because of my aching teeth, which do not pain as much when I am up and about. And this is what your esteemed doctor friend says is "all hooey." If he should go through one-tenth of the toothache and pain of my last two months he would know whether or not it was "hooey." The whole thing has been the worst managed affair I have ever been through; in fact, it hasn't been managed at all. How you and others can imagine that the best treatments on earth can be even 50 per cent effective when the patient is uncomfortable, uneasy, discontented, restless, actually suffering pain a part of each night and many times during the day when the stuff I use on my teeth fails to reach the trouble, I can't understand, and other informed people can't understand. I have had my teeth thoroughly examined by a dentist last Saturday and he don't understand why any dentist or doctor should say that they shouldn't be attended to at once. He advises me to have them all extracted as soon as possible; that I have a bad case of pyorrhea and my system is being poisoned steadily and continuously by the condition in my teeth roots, all of which I was told the last week of August, 1931, when I had complete x-rays taken. This condition has, no doubt, had considerable to do with my tests. A poisoned blood stream from decayed and abcessed teeth roots might account for a great deal.

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However, I can't have them taken out while I am here; it will take a month to do it right and I will be without any teeth during that time. I couldn't take care of myself here nor could I be taken care of here. I can attend to everything home myself and not bother anyone. I can't go to regular meals for two or three weeks and have got to have liquid foods. I can't go away for a day and have some teeth extracted and then do it two or three times again. The proposition that way is absolutely impossible and it is not at all necessary. I am reliably informed that you or any member of my family can take me home for this work; in some cases, a friend. It has been done in several cases the past year and is being done now. This is your job or Ray's or Mamma's. You have apparently been opposed to do anything from my end; you have told me that when the doctors notified you, you would attend to it, but that is not the way these cases are usually handled. There are 3,500 patients and not many doctors and there is every good

reason for you to make your request for my leave of absence right now, and there is no doubt but what it would be granted. The question is not one of right, but one of might. In fact, it has never been a question of my rights (as you would have expected your rights to have been considered had you ever had a similar experience to the one I am going through). You have known me for, say 35 years; you have never known me to be sick; in fact, I have never been sick in my life. During your life I can only remember of one serious sickness for you — scarlet fever, or something — but you were taken care of and your rights were taken care of fine. During later years, while you have done fine, there have been times when you have been crazier, from drink than I have ever been from anything. Lloyd had a hard experience up to his eighth or tenth year and we had to go to great trouble with him and for him, and he had two serious operations, and others simpler. I suppose I could go on, but the point I am raising is that I did my share to take care of what sickness we had, in the way most people do. In fact, all my responsibilities during your lifetime have been, maybe, better taken care of than “most people do”; and your own particular and individual interests were materially helped by

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my work with people who had great influence over conditions which made possible your present success. My kick is that my rights were not even considered, my most valued interests knocked into a cocked hat, in the section where I have worked for forty years, and absolutely wrecked; a most rotten and thoroughly contemptible trick. This is bad enough but I don't think it should be made worse by continuing inaction and indifference that discredits me still more.

So, Bill, I want to ask you to do something, or do nothing. If you want to drop the whole matter, that can be arranged easily. I have got to do something to get my leave of absence, to fix my teeth and to get the most possible good out of my treatments. I am interested in getting completely well and that means I am a damn sight more interested in my treatments than anyone else. That's why I want to be treated by a doctor who knows my condition and who can treat me and instruct me effectively. That brings to mind my plans to have Dr. Johnson treat me. I am thinking about my health; you are thinking about money. What the hell good would a lot of money do if I am not well?, and — well, anyway, talking about money is to “laff.” Six months ago I could have gone back to work at \$300 more per month than I am getting now, and you didn't turn your hand or give it a thought, I guess.

Anyway, Bill, let's get started. A mess has been made of the whole thing, so let's do the best we can to correct some things; if you will do what I suggest we can at least make the effort.

I am enclosing a letter which is a request for a leave of absence. If you want to write it differently, all right, write it any way to get the results. If you want to write it as coming entirely from you I won't need to sign it; if you want to use the one I send, approve that; but get something before them.

Now, what could be more practical and simple than that and why shouldn't I be given that privilege? I might

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continue with the question: Why am I kept here? There is no "right" in it at all and the courts would so decide. However, if you don't want to do that, which will not cost you a cent, mail me the letter and I will deliver it, or mail it direct to the institution and telephone them Friday or Saturday if you don't hear from them by mail. I am anxious to get this done as soon as possible as every day is a certain torture.

Now, Bill, will you please do something as soon as you get this letter? Drop me a short line or a postal saying what you will do so I may know — will look for word of some kind from you in Wednesday's mail; you know I've had only one letter from you since coming here. I hope I've made everything clear and reasonable.

With best wishes and love to all,

Luther Osborne.

The application put in November 21, 1932, did not bring any result and my son Ray, came up to: see me on Sunday, December 11, 1932. He wrote a letter to Dr. Charlesworth, they gave me a conference the next day and the medical staff, with unanimous approval, granted me a leave of absence and I was to go home the last week in December, 1932.

It was hopeless, however, as shown by the following letters.

Imola, California, Dec. 11, 1932.

Dear Dr. Charlesworth:

With my father, Luther Osborne, I called to see you this afternoon, but, unfortunately, missed you.

My father tells me that he has recently undergone another test, and has every reason to believe that it will show a very satisfactory improvement in his condition. He is still very much concerned about his teeth and is anxious to come to San Francisco to have them attended to.

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It is some time since we talked to you regarding my father's condition, and my purpose in calling today was to ask you whether at this time, you had any objection to him coming to San Francisco to have his teeth taken care of.

I am leaving this note with my father for you, and would appreciate it if you would write my brother or myself regarding this matter.

Yours very truly,
Ray L. Osborne.

R. L. Osborne,
San Francisco, Calif.

Imola, California, Dec. 12, 1932.

Dear Folks:

Some good news today — swell. Had a talk with the doctors this morning and this afternoon they gave me a conference and you will probably hear from them direct, as I understand that is the way it is handled. I will see the doctor again tomorrow and I will probably know then the result of the conference. It seems very encouraging and I think it will be word for you to come and take me home — and that will mean right away.

Anyway, you will, of course, hear from them and I may write again tomorrow. When you come up bring a car with plenty of room; I have a lot of stuff to take down. Everything is OK except these awful teeth. But I am dosing them good and they seem to be pretty good during the day — but not nights.

Drop me a line when you hear more.

Love to all,
L. O.

Imola, California, Dec. 20, 1932.

Dear Ray:

When you were up Saturday, you said that you might come up next Sunday, Christmas Day. I am, of course

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expecting you or Bill up some time next week to take me home.

I hope everything is OK and I wish you would bring me, or rather send me, a little more definite news about this.

Love to all,
L . O.

Ray did not come up Christmas Day — nor anyone else. He wrote me th
everybody was sick.

Imola, California, Jan. 3, 1933.

Dear Ray:

Just received your letter of yesterday. Sorry to hear of so many sick; maybe this would be a better time than ever for me to be home — I might be very useful. Try and make it Saturday and drop me a short note so I will know what the plan is.

Everything is all ready here, and, of course, I am pretty anxious because of my teeth. Write that short note right after you finish this letter, so I will have a few hours to have everything ready.

Love to all,
L. O.

Imola, California, Jan. 4, 1933.

Dear Ray:

Can you make the trip up here next Saturday? It will be better than Sunday. We can get down early Saturday afternoon if you can get here early.

I am writing this as a hurried note to add to my note of yesterday, because I am sure it will save time and expense.

Love to all,
L. O.

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Imola, California, Jan. 12, 1933.

Dear Bill and Ray:

Will one of you please come up Saturday or Sunday?

I am altogether up in the air and don't know what is the matter. Everything is OK here, and, of course, I expected to see you last week, as Ray wrote one of you would be up either Saturday or Sunday.

I understood that you were familiar with everything that has been done here and that you had full details from Dr. Charlesworth. I wrote you I had a conference, with all the doctors, and they decided I was to go home. Everything has been arranged for that and I am supposed to be home now. The ward is expecting my bed and locker to be vacated and they already have another man. to do my work at the dairy.

Everything is waiting for you, so please don't fail me this week.

I will catch tonight's mail with this letter, and if there is anything that I do not know about, let me know what it is.

Love to all,
L. O.

When my release was blocked after the medical staff had granted me a leave absence, the methods used to keep me in the place became clearer and the rotten condition was beginning to show itself.

I made other attempts with letters to the Superintendent dated February 2, 1933, and February 20, 1933.

CHAPTER III

With more or less excitement and confusion during the Christmas and New Year holidays of 1932, with letter writing to my boys and trying to reach them by telephone and through Oakland friends, and with the growing conviction that a frame-up of some kind was going on, the year 1933 found me still in the place and certainly wondering what I was up against. I had seen Dr. Charlesworth twice about my leave of absence matter, and it was a clear case of passing the buck.

For three weeks my sons wrote of a great deal of sickness at home. Finally my son, Ray, came up and told me if he signed my leave-of-absence blank he would lose his job; he was working for my other son. When my older son, William, came up he said he had been advised by Dr. Charlesworth not to sign my leave-of-absence blank. As hard as I tried, I could never see the doctor with my son, and when I asked the doctor about it, he said it was up to my son.

In the meantime when this became generally known around the place, I was told by the old-timers that it was a common thing. That many cases were passed on by the medical staff and leave of absence granted, yet many of these patients were kept there year after year because some certain person would not sign the patient's leave-of-absence blank. I later learned that to my sorrow when I had several friends make application for my leave at different times without success.

So, beginning early in 1933, I continued the efforts to obtain my release and began to realize what a remarkable "hell-hole" I was in.



Imola, California, Feb. 2, 1933.

T. H. Stice, M.D.,
Medical Superintendent,
Napa State Hospital,
Imola, California.

Dear Sir:

At the present time I am still a patient at the Napa State Hospital and have been here since the early part of October, 1931 — about 16 months.

Leave of absence has been granted me in answer to a letter from my son, and he has been notified. He called here Sunday, January 22, 1933, and advised me that he would

not sign my leave of absence blank.

I respectfully request permission to take my leave of absence. I am a perfectly normal man mentally, and while I have been undergoing treatment for physical troubles I am as well as I have been for years, with the exception of my teeth; I have not been sick at all since coming here.

If permission can be granted me to take my leave of absence without the necessity of my son signing for me, will you please notify him. We could arrange to send you a report at any intervals desired, or any arrangement that you suggest that we can comply with.

Thanking you for your consideration,

Sincerely yours,
Luther Osborne.

Imola, California, Feb. 6, 1933.

Dear Folks:

I am sending you a copy of a letter that I sent to the Superintendent, February 2, 1933 — I was wondering if you had heard anything by mail about it, as you will notice I have asked them to write you in reply. Please let me hear if they wrote you; and, please, come up Sunday.

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Everything is OK, except my teeth. Have had two more talks with the doctor; may have some word for you by Sunday or before.

Love to all,
L. O.

Imola, California, Feb. 20, 1933.

T. H. Stice, M.D.,
Medical Superintendent,
Napa State Hospital,
Imola, California.

Dear Sir:

With further reference to my letter of February 2, 1933, I respectfully make application for a leave of absence, during which time I will live in Napa, have my dental work done by Dr. Jos. Schneider, a dentist of Napa, and spend a part of each day

on work for Mr. D. L. Beard, a friend of mine in Napa who has been handling some important matters for me during the past year.

During this leave I could be on call at any time, by telephone or otherwise, and could report at any intervals desired.

The soreness of my teeth and gums is becoming worse and they are particularly painful at night and mealtimes, making my diet largely a liquid one. I will also have the benefit of diet and other advice from Dr. C. A. Johnson of Napa during this leave.

If this permission can be granted me will you please advise me or Mr. Beard so that I may make arrangements for my stay in Napa.

Thanking you for your consideration,

Sincerely yours,
Luther Osborne.

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Neither of the February letters were even answered and a friend of mine interested San Francisco attorney in my case. He came up to see me and we continued our effort. I am going to refer to him simply as "Attorney." His identity is of record at the hospital of course, but his name would serve no useful purpose for this story, and I have not secured his permission to use it.

This work led up to another application for leave in April, 1933.

Imola, Calif., Feb. 21, 1933.

Dear Mr. Attorney:

In accordance with the short talk I had with you last week concerning my commitment to this hospital, I am writing this request for an interview with you in order that I may explain my case more in detail than I can by mail.

I have been here about seventeen months; during this time under treatment for a blood condition that they told me would take about a year — I was told this in November, 1931. I have never been a mental case and have never been sick a day since coming here, or before; I have made application for my release, which has been granted. I am sending you a copy of my last letter to the Superintendent on this subject for your information.

I have two sons at home in Oakland, one of whom is handling my business affairs while I am here; these consist mostly of rentable residence properties — apartments and flats. I have had 37 years' continuous service in the U. S. Customs Service — since 1895. At the time I came here in October, 1931, I was the Cashier of Customs at San Francisco, appointed to that position in 1912.

I should never have been sent here in the first place and it is so recognized by everyone who know the details of my case, but my boys will not cooperate with me in the matter of my release, so I will have to have other help. My wife is still living at our home in Oakland, has been up often to see me and is willing to help me in every way, but she is sick a great deal of the time and it is almost impossible for her to be of any actual assistance. She is

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suffering more than anyone in this case of mine and I am really more concerned on her account than my own.

If you will come up and see me I will greatly appreciate it. I shall, of course, pay whatever your charges are for this service and with pleasure for the opportunity.

Sincerely yours,
Luther Osborne.

Imola, Calif., March 8, 1933.

Dear Mr. Attorney:

Of all the friends I have made in my more than 40 years around San Francisco Bay I have only written to two. I hope most of them will never know of my experience. It has occurred to me that maybe some of these friends might be helpful, and if you can see anything that they could do to help I would be glad to take it up further with you. Of course, I would prefer not to ask old friends to help in this kind of a case, but if it were at all necessary I would do so at once.

Another thing that has bothered me is the right, or the authority, of the hospital authorities to hold me here. Of course, I understand, in a general way, why they can do it, but I don't believe it would hold if tested; in many cases here patients are held for years for some technical requirement that they have no control over. Maybe it would be clearer if I write: I wonder why they have kept me here so long. There has never been any question as to my sanity, and it is admitted that I can do better with my treatments outside than I can here. So I cannot see the justice, wisdom or even plain, common sense in this procedure. I learn from many here that this is the usual procedure with those who make no protest; cases like mine come in and are released in four to six months when there is someone behind them. The policy of keeping the place full seems to be the rule and there are many here to confirm it.

I will get an immediate answer in the mail, or otherwise, to any inquiry I receive from you.

Sincerely,
Luther Osborne.

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Imola, Calif., March 11, 1933.

Dear Mr. Attorney:

Your letter of March 9th received today and I have noted it carefully. I am glad you have seen Ray and the doctor and I want to ask you to consider my case and read my letters carefully. You will understand, of course, that I am very anxious for my release for very good reasons, and because I know I should leave my present environment as soon as it can be arranged.

Referring to the fourth paragraph of your letter in which you question whether I cooperate with Dr. Charlesworth. I would certainly be glad to do so. I don't come in contact with him at all. He has nothing to do personally with cases like mine; none of the doctors here have personal contact with the patients taking these treatments. That is what I want to do at home with my own doctor, and I would and could cooperate with him very intelligently and efficiently — and I say this understandingly. I studied medicine for two years before I took up my business career. During 1894-95 I was with Dr. Woolsey a year at his hospital in Oakland on Twelfth Street, and have been considerably interested in these studies since. I am so sure of my ground that I know positively that spending a "few months" more here would be the very worst thing I could do.

I am perfectly able financially to take care of myself, and others, and I could get the results that I can never get here. I cannot exactly understand what is told you about my case that could lead to a different conclusion than my own; I have been subject to misrepresentation and downright lies for months; there is a mercenary motive for many of them, but the all-important thing to me is my good health — and I cannot maintain that here. I wish you would write me just what they say which is the basis for these conclusions, so that I may answer them clearly and without prejudice.

You say Dr. Charlesworth is thoroughly familiar with my case. Dr. Charlesworth is what is called my "ward" doctor. I have not seen Dr. Charlesworth more than six

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times since coming to this hospital seventeen months ago. I have not seen him more than ten to fifteen minutes any one of these six times; and then it was to discuss permission for leave to have my teeth fixed, etc. My treatments are given to me at the Infirmary, under Dr. Chappel, but the work is done by internes for experience and I have never talked with Dr. Chappel. The internes are changed every three or four weeks and we never have a word with them; they simply do the injections for experience and others take their place. The treatments here are entirely routine, and that is what I want to improve on by going to my own doctor.

Dr. Charlesworth can be familiar with my case only as he can know of it from the written reports, if he reads them. Besides the report of the diagnosis when I first came,

I don't know of anything on these reports except the fact that I get the treatments, which is taken from the list of each week's treatments. If there is any possible chance to cooperate with Dr. Charlesworth I would gladly do it; there is no opportunity to cooperate here with anybody except other patients. There are 3,500 patients here and about ten doctors. I am told that Dr. Charlesworth has about 600 patients and in addition is Assistant Superintendent, which gives him additional duties of management. Personally, he cannot be familiar with my case, and only at all from the written reports. That is one of my reasons for wanting my discharge or a leave of absence — so that I could take my treatments from an outside doctor, with whom I could cooperate and get the most possible good from these treatments — which I cannot do here. I am making your very suggestion one of the most important of my reasons for requesting a leave — so that I can cooperate with everybody and everything to get the best results.

There is a positively known condition of decay in my teeth, that can be seen and further shown by the x-ray, that is poisoning my system continuously and probably worse than my blood condition. This has been ignored for more than a year, and I have been kept from having it taken care of because of my boy and the doctor.

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The doctors here do not think that I should stay. I was called before a conference of all the doctors in December, 1932. They granted me a leave of absence to commence in December, 1932, and my boy refused to sign the release that is required for every patient.

Please write me fully just what is the particular reason, or what has been told you, that would lead to this conclusion that it would be better for me to stay here a few months. I have been waiting a year with this same uncertainty and a few months cannot possibly make any change, except for the worse; and my tests have been exceptionally good and indicate a recovery, according to their own standards.

I hope you will bear with me for this long letter; I am trying to cover everything as completely and honestly as I possibly can. If my boy and the doctor would do the same we could get along fine.

Yours sincerely,
Luther Osborne.

Imola, Calif., March 15, 1933.

Dear Mr. Attorney:

Since writing my letter of Saturday, in reply to your letter of March 9th, I have been thinking of one or two incidents that have happened to me here, and some suggestions that I would like to get before you.

Dr. Charlesworth is burdened with a mass of detail; actually; he does not have time to analyze these cases. Dr. Stice knows but little about my particular case; I don't suppose he has ever seen my letter of February 2, 1933, a copy of which I sent you. I had a friend of mine go to see Dr; Stice on my behalf and he had my case altogether confused with that of another patient; he did not know of me at all and said he would have to look up the case before he could discuss it — that was some time in January of this year after my leave of absence had been granted. The cases here that get attention have to have someone behind them, and with over 3,000 cases involved it takes continued

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effort. My efforts with Dr. Charlesworth have always been put over and postponed or blocked by my boy. Since I have been here, there have been many cases released much worse than mine, with lower tests and other disadvantages; in fact, there are no good reasons why I should be kept here, but there are good reasons why I should be released.

It only goes to show the fraud and insincerity in the statement that they want me to stay here a few months for my own good — the same thing they told me six months ago.

With the thought in mind that you may not have fully understood all of my more or less hurried talk with you, I want to add these items which I think you should understand clearly. I became associated with Mr. Hamilton nearly thirty years ago — really more; he was then the head of the Cashier's office and I was a clerk in that office. During the years 1906-1908, after the big earthquake and fire, we established a larger printing office and bindery than I had at the time of the fire (which was entirely destroyed). We incorporated and at that time we were all active and busy — we had two shifts of men working for over a year. This continued for several years, until business became harder to get; it should have been easier — we were established and had made many successful business connections. There was some little difficulty because of our Federal positions, but it was not at all serious — the main trouble was lack of effort. I was practically alone in the work of securing business and in the management of the mechanical work of producing it. For years I took the first boat from my home in Oakland, at 5:30 a. m., to my work in San Francisco, and often the last boat for home at night. I actually worked sixteen hours a day for years; this was the average for five days a week with a little let-up Saturdays and Sundays — I worked Sundays and holidays and always a full day of eight hours or more. During these later years Mr. Hamilton fell down completely in getting business. He was a hard drinker and enjoyed all the good things of life, but was not at all partial to any kind of effort or work — at the same time he expected his usual payments from the business, although he had never invested a dollar in it. During all these years I

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had become very well acquainted with him and probably knew him as well as any man living — and all the time I was more and more dissatisfied. We were working in the same office and when he was promoted it usually always helped me in some way, so we just drifted along.

During these years my boys were learning the printing business and are now in a business owned by Bill. After several years of working with several different parties I finally sold my printing business and discontinued payments to Mr. Hamilton. He has been very bitter since that time, but had no opportunity to make trouble for me until October, 1931, when he complained about some office details of no particular importance and prevailed upon my boys to send me here. I don't think Ray would have consented to it at all but he had to agree; Bill is the owner of the printing business and Ray works for him on a salary. Hamilton and Bill made him sign the complaint because they didn't want to be mixed up in that way. When Ray was ready to sign up for me when my leave was granted in 1932, Bill stopped that as soon as he learned of it.

This is an explanation of some things that I have been reminded of today. I have no idea why Bill has allowed the whole thing, other than that Hamilton induced him to do it. His actions and talk at times indicate that he is ashamed of the whole mess; then, again, he blocks every effort to correct it, and persists in attempting to make it as mysterious and unexplainable as possible — sometimes positively ridiculous. On the other hand it is far from ridiculous — one might call it tragic. I have not had any quarrels with my boys — ever. During their entire life I have always been of great help to them — Ray's experience in Southern California and Bill's entire experience here at home. During the two weeks immediately preceding my commitment, I had not seen them for more than a few minutes any day, and some days not at all. No wonder I was thunderstruck with amazement — I could hardly believe it at first — some things are hard to believe now.

I hope you can get something really helpful from all this and I want to write once more that the medical board

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here have approved my leave and my boy has blocked it; Dr. Charlesworth also approved it at my conference, whatever his attitude is now. The only objection my boy can have is a technical, routine detail which should not prevent my leaving, and the dental work that I must have done. Since the first of the year Bill has only been up once and at that time refused to see the doctor or go anywhere near the office.

Sincerely yours,
Luther Osborne.

Imola, Calif., March 22, 1933.

My Dear Hattie:

Received your letter of Thursday and was glad to get it; you don't write often enough. I have been feeling fine (except my teeth), and get a good many long walks. But my teeth are raising the devil with me and I haven't had a good night's sleep for months. Keeping me from having my teeth fixed, as the boys have done since the first week in January, has been about the most cold-blooded trick I have ever had put over on me.

All the dentists say that they should be extracted at once — and should have been extracted long ago. Killing the nerves helps as far as the pain is concerned, but the condition of the decayed teeth is the same, or worse, and still leaves the same poisoning going on. If I could get my leave I could have it fixed at once — and I want to write about that, too, in this letter.

My release is the most important thing to me right now. I can't do a thing to help myself while I am here. We go to bed at 8:00 p. m. and up at 6:30 a. m. — or before if we want to. That's the routine every day; the meals are terrible, and it's as near "hell" as I've ever been — and what on earth good it can do to anybody or for anybody, is beyond me, or anyone else, I guess. Anyway, I want to ask you to help out;

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Everything is ready here for me to go home and have my teeth fixed. I have seen all the doctors and have been granted a leave of absence. My leave of absence blank has to be signed by a member of my family and the objections are entirely technical; no matter how they explain it, it amounts to nothing but a downright injustice to me, and all of the patients here leave under the same conditions. I don't know whether they have said anything about it to you or not, but if they have told you anything different than that, it is not true. You should know these details and you should make it your business to know. They have made a mess of this whole thing and you should straighten it out. They have probably made a mystery of it and maybe you don't understand it, but you should; and there is nothing hard to understand about it.

I have asked you to sign many papers during our married life and you never signed one that didn't protect you in every way, whether you knew anything about it or not. You are better protected right now than 99 out of every 100 families are, in the matter of all of our property; and that is because I have made it a point for the last 25 years to see that your protection came first. You have more of our property now in your own individual name than I have, and this has been done to protect you and your future, and it has been done solely by me. Now, I am asking you to sign my leave of absence blank so I can come home and have my teeth fixed; if that is not simple I don't know what is. And if I didn't know it was all right and the best possible thing to do, I wouldn't ask you. My leave of absence was granted in December and it is now March, and there has not been a day for three months that I haven't had a toothache.

Now, Hattie, let's stop this foolishness and handle the thing right. That's all there will be to it and I can get rid of the worst and most threatening condition of bad health I ever had; and you know how well I have always been. The last dentist I saw in January told me it would be a serious matter for me if I did' not have my teeth attended to without delay.

With love from
Lou.

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Imola, Calif., April 5, 1933.

My Dear Hattie:

Your trip last Sunday was the most pleasant thing for me that has happened since I have been here, and it renewed my hope for a common sense settlement of my leave of absence; and it's such a simple thing that has kept me actually suffering more than six months. Now that there is promise of a sensible arrangement I can pep up, and I certainly feel very much encouraged.

You have been fretting and worrying about this whole mess more than you have any idea of, and you show it. You have been troubled with things that you never should have heard of, and have not been told of many things that you should know all about. Some of these things are bound to happen, of course, but it should not be the case with so many of them.

There has been a continual strain from the start and it's getting worse — and you can't stand it, Hattie — and I can't stand it either, without protest. There is absolutely no reason for this thing to go along as it has and I have suggested the way to correct it. I hope you will not think I am attempting to write you a long sermon; nothing is further from my mind. I am trying to help you first and also help myself. I think we should face these things seriously. As you say, you want to do the right thing — you always have; here is a matter there is no question about what is the right thing to do.

Drop me a short note as to how you will arrange it. Have no special news to write — there is none. We don't know anything about anything except what we read in the papers; it is the most purposeless existence I can possibly imagine. If I were getting any good out of it, it would be somewhat different, but I am very much worse off than I would be home, and I can't help that because I can't adjust myself here. Anyway, if I can get these teeth fixed that will be a whole lot accomplished.

With love to all,
Lou.

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Imola, Calif., April 19, 1933.

Dear Mr. Attorney:

Well, my folks came up last Sunday, April 16, 1933. Bill went to see the doctor without me, which was just what I did not want him to do, what I had asked him not to do when they were here April 2nd, and which I had written twice about last week. However, I was not surprised at that. Anyway, they came to see me after leaving the doctor and my wife told me that the doctor said that she could not sign for me — and I had spoken to the doctor about that very thing and he had told me that would be satisfactory.

My wife said she would sign for me but the doctor said he would prefer to have my son sign, and when she pressed the question she said he told her she could not sign, and did not explain why — that's the explicit statement I could get from her after repeated questioning.

Now, of course, I can't get anywhere trying to work with my boy. He should have fixed it all up months ago — but, of course, the fact is, they never should have sent me here. So, I must handle it without their help, and I don't see why that should be impossible. One of the important things that I've got to do is to check up on what has been done the past year and a half and I don't believe he wants that done — until he can't stop it. His plan is evidently to delay this as long as possible and I don't think he is much interested in "what is best for me" — the usual explanation. I can't imagine any routine or condition that would be worse for me than the one right here.

I have written the letter to Dr. Stice, which I enclose; also is enclosed a copy for your file; and another copy of my letter of February 2, 1933, which can go with my letter to Dr. Stice with your letter of transmittal.

If you want any change made, I can rewrite it any way you suggest. I can't see anything objectionable in it and I don't believe Dr. Stice knows anything to speak of in my case; I don't believe he has seen my letters. I don't understand why Dr. Charlesworth is apparently opposed; he certainly

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was very agreeable at first. He voted in favor of my leave at the conference before the medical board, and arranged everything in the office for Ray to sign. When I went in to see him a few days after the conference he took me out in the office, looked at the papers, took me to Mr. Bickel, the supervisor, and told him to fix me up if my folks should come for me when he was away — and he expected to be away the next Sunday when I expected Ray to come for me.

I can't think that there is not some simple way out of all this mess; I think a plain, man-to-man talk with the doctors would do it. I can't do that alone because they won't arrange it that way; I have never had an opportunity to speak to Dr. Stice and have seen

him only once. With you I could get an audience, and maybe your letter of transmittal will answer the purpose.

Anyway, let's try and get somewhere. They say they have no charges against me, and the only charge that I know of is a damn lie. They say I should have more treatments, which I want to get worse than they want to give them to me, and it is not necessary to keep me locked up here for that purpose. They agree with that and the entire medical board has granted me a leave of absence, which my boy has blocked with a technicality.

Sincerely yours,
Luther Osborne.

Imola, Calif., April 19, 1933.

T. H. Stice, M.D.,
Medical Superintendent,
Napa State Hospital,
Imola, California.

Dear Dr. Stice:

With reference to my letter to you of February 2, 1933, I respectfully request a further consideration of my request for permission to take my leave of absence granted me at conference in December, 1932. When I gave this letter to Dr. Charlesworth for you, I spoke to him about my wife signing my leave of absence blank, and he seemed to think

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at that time that this would be satisfactory; my two sons refused to sign for my leave and I have been unable to go.

My wife called at your office on Sunday, April 16, 1933, and saw Dr. Charlesworth about my leave; she later saw me and advised me that Dr. Charlesworth had told her that she could not sign for my release. I was surprised at this because I understood that this was the usual thing and because my wife is much more responsible than either of my two boys. She would be willing to sign for my leave of absence and I respectfully request that this arrangement be made that I may have some much needed dental work done that has been delayed more than a year and a half. My teeth are in very bad condition; I have had complete x-rays taken and two careful examinations. My dentist says I should have this work done at once and they are very painful.

In addition to this dental work my leave will enable me to look after some of my badly neglected affairs at home; I have been here over 18 months and it is costing me over \$200 a month while here in loss of salary and neglected property interests —

probably considerably more than that amount monthly. My boys have their own business to look after and cannot give any particular attention to my affairs, and it is becoming a matter of serious importance to me. Several matters awaiting my attention cannot be handled by others and two months' leave would be a great help to straighten out the most pressing ones.

Other than the few weeks I spent at the Infirmary taking the malaria treatment I have not been sick a day since coming here. I have worked all the time at the dairy in daily contact with the dairyman and assistant dairyman, and in daily contact with the attendants at the ward. I am a perfectly normal man mentally and have been the entire time I have been here, and before that time.

Will you please arrange for my leave in accordance with plans that I can comply with?

Thanking you for your consideration,

Sincerely yours,
Luther Osborne.

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Imola, Calif., May 10, 1933.

Dear Mr. Attorney:

This letter will acknowledge the receipt of your letter of May 8, 1933, and a copy of the letter from Dr. Stice to you dated April 27, 1933.

I am very much disappointed, of course, but I shall continue to make every reasonable effort to obtain my release.

Later I shall write you more in detail in answer to these letters and with other suggestions.

Sincerely yours,
Luther Osborne.

My application for release dated April 19, 1933, was denied as usual, with the statement that I needed further "hospitalization." It had already been admitted that I could secure better "hospitalization" at my own home, and I was able and anxious to do that.

We continued our efforts.

Imola, Calif., May 17, 1933.

Dear Mr. Attorney:

About the letter from Dr. Stice dated April 27th: I am not sure as to the “careful consideration” given my case, but I am sure that I am cooperating with everybody here in every possible way, and have been ever since I have been here. I am also sure that I will not improve here because I am a perfectly normal man now. My mental condition is better than most of them here, and when I say my mental condition is better, I say that advisedly in the light of my 40 years’ record in San Francisco, of which I am proud — (and I’ve learned considerable since I’ve been here).

Throughout the entire course of this rotten experience of mine there has never been a single mental charge against me, other than the damn lies of those who directed and procured my commitment. At this institution, where I have been 19 months, they haven’t a single charge of any kind against me.

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The unfortunate part of my experience was the fact that my laboratory test, according to their diagnosis, showed this blood infection, for which they have been giving me treatments since I have been here — and there are hundreds here getting these treatments, and thousands outside getting these treatments. The point I am making is that the doctors here say that I have this infection; they say that it is a physical ailment and they are treating it solely from that standpoint; they have no mental ailment in my case and they are not treating me for any mental ailment, and in many or most of these cases the treatments are given to the patients at their homes. You can do better with these treatments from your own doctor at home than from the mass treatment here by the internes.

I have surely been patient and very reasonable. I have taken their diagnosis and suggestions without question and have cooperated in every way I possibly could. I have been here more than 19 months; I don’t believe it is necessary for me to submit to this and I want to demand my release in some reasonable way. I am a perfectly normal man mentally. I have a physical ailment, according to their diagnosis, such as thousands of other men have, who are home and attending to their work and their affairs. If my sickness had been handled in the ordinary manner, instead of the cowardly way it was, I would, have had no trouble and would have saved the \$4,000 salary I have lost to date and I don’t know how much of a property loss I have had and am having. I have certain rights, that everybody has, and they are not being considered, and I want to demand that they be considered. I want to make this demand in the most reasonable way, the most practical way, and altogether in the best way that I can, and that is one of the questions I want to ask of you: the best way to make that demand. I have been told that in some cases there has been an appeal to the Attorney General of the state, in the case of a sane person being kept in the institution.

Anyway, I am going to make some effort and I would like to have your advice and help. I have property in Oakland and Long Beach. I had a paying restaurant business in

San Francisco, and I left nearly \$3,000 in cash and

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bank accounts when I was sent here without five minutes' notice. Bill told me he has filed an accounting; I have never seen it and I don't know who else would understand it. When I asked him for a copy of it he told me the doctor had told him that he needn't bring my business affairs up here to me. So, I haven't the slightest idea how anything has been handled since coming here. By members of my family (not Bill) I have been told that the restaurant has been losing money and that I have a great many vacancies in my apartments and flats. I have never had an accounting of the cash I left in my safe or the bank accounts — I suppose he had to put up a bond on this, but it should all be looked up and checked over. As soon as I can get control of my own affairs I can fix up everything to everybody's satisfaction.

Please write me what you think of all this. Delay will not help — if anything, it will only make matters worse.

Sincerely yours,
Luther Osborne.

Imola, Calif., May 18, 1933.

Dear Mr. Attorney:

You will remember in my letter of April 19th to the Superintendent, requesting my leave of absence, I made special mention of the dental work needed. I have not seen a doctor for months, except at my conference and the few times that I have spoken to Dr. Charlesworth about my leave.

In July and August, 1931, I had a careful examination and complete x-rays made of my teeth. I was told they would have to be extracted and that it should be done as soon as I could arrange for it. I had planned to have it done in 1931. Since then I have been unable to have them taken care of. They have offered to extract them here and leave me without any teeth; or allow me to go to Napa dentists for the work under impossible conditions. I went to the dentist here at the institution for an examination and he told me my teeth were in bad condition and that

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they should be extracted — that if they were his teeth he would have them all extracted at once. Dr. Charlesworth wrote my boys that the dentist reported my teeth in bad condition with pyorrhea but that it was not necessary to have them extracted — and this was just after the dentist here had advised me personally to have them all extracted at once. When my leave of absence was granted I had planned to have this work done the first thing. I also had another examination by a Napa dentist and he advised me to

have them extracted at once. At this institution it would simply be impossible to have this work done right. The routine here would completely interfere with the six weeks or more time necessary to do the job right; on the other hand this would easily be taken care of when I am at home. This is considered a serious condition by all the dentists I have consulted, but apparently ignored completely by Dr. Charlesworth. The Napa dentist told me he could not understand any dentist or doctor telling me that my teeth should not be attended to at once.

So, it is now nearly two years since I started in to have my teeth fixed up in accordance with the best dental advice available. It has been cold-blooded, lying misrepresentation and apparently legal or in accordance with state laws. The policy is to keep patients, and the place is full — and pay patients, of which I am one, are preferred. The authorities here, after months' delay, finally granted me a leave of absence and this has been prevented by my boy.

I sincerely hope you can do something for me with this. I still think a great deal can be accomplished by direct appeal. If you have anything in mind that you think I can do from this end, or if I can give you any other details or information, please let me know. I still think that the doctor does not understand my case, not because it is different than others but because it is following the machinelike routine laid out for it on charts, because he does not know the motives and the methods that secured my commitment, the lies and misrepresentations that were used, and the grouping of 500 or 600 patients under one doctor.

Sincerely yours,
Luther Osborne.

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Imola, Calif., May 19, 1933.

Dear Mr. Attorney:

As practically everybody is boosting President Roosevelt and the papers are full of it, I am going to take the chance of being considered tiresome and call your attention to the second paragraph of the President's message to the rulers of fifty-four nations:

"To these ends the nations have called two great world conferences. The happiness, the prosperity, and the very lives of the men, women and children who inhabit the whole world are bound up in the decisions which their governments will make in the near future. The improvement of social conditions, *the preservation of individual human rights* and the furtherance of social justice are dependent upon these decisions."

It has occurred to me that I have written you but little about whatever charges there are in my commitment — the fact is I don't know what it contains. What has been told me about it have been lies. One friend told me that it contained a charge of unlawful or illegal deposit or withdrawal of funds. Anything of this nature is the worst kind of a lie. I have handled and been responsible for literally hundreds of millions of dollars in the thirty-odd years in that office and I have never been short a dollar nor have any of my accounts ever been involved in any way — never. And that is true about everything that has been told me about my commitment so far — as regards the truth of them.

Hopefully yours,
Luther Osborne.

Imola, Calif., May 27, 1933.

Dear Mr. Attorney:

The effort is apparently to make as much of a mystery of my case as is possible, which is only a sign of weakness in their diagnosis and treatment; they could not have made a worse botch in their efforts to find symptoms or something to base their diagnosis on. Their laboratory test shows

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I have an infected blood stream, the same way the x-ray shows diseased teeth, although not so reliable as the x-ray. I have been here twenty months, have not been sick a day, and all they know is that my teeth are bad, and I knew that before I came here, and was preparing to correct it. If I had not been in fine health when I came here I would have been sick before this from the experience — it has been the most cold-blooded thing that has ever happened to me, and absolutely unnecessary and without excuse.

Their reply to my letter was that I needed further hospitalization. I have answered the hospitalization suggestion in my letter to Dr. Stice and they know nothing other than what they can assume from my last 40 years on the outside; I don't suppose a man's lifetime record amounts to anything. In fact, I do not see that they have the authority (they certainly have no moral right) to keep me here after 20 months of observation, and if there is anything to human rights, I'm sure they have not.

Sincerely yours,
Luther Osborne.

After my application for release dated April 19, 1933, had been denied, Mr. J. Kelly, with whom I had worked daily in the Customs Service for more than 30 years, interested himself in my case and came up many times to see me. The following letter dealt with our continued efforts to obtain my release. My letter to him of June 7, 1933, was written for him to use in San Francisco, upon his request.

Another application was sent in June 19, 1933.

Imola, Calif., June 7, 1933.

Dear Kelly:

At the time of my commitment I was receiving a salary of \$300 per month; since coming here I have been getting \$100 per month from the retirement fund on account of sickness, and I have not been sick a day. I have advised the examining doctor that I am not sick, that I am working every day and that I am anxious to get back to my own work.

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In addition to this loss of salary, my outside business interests are suffering materially. My boy will not, or cannot, take care of them. He has his own business to look after and he can only look after my affairs indifferently or incidentally. I have rentable apartments and flats and a small restaurant business; not a big business, but something that was paying when I was sent here and it is losing money now — apartments and flats vacant and neglected. There is every reason why I should be back on the job instead of wasting my time here, and I should have been back months ago. The only possible thing that can be helping me in any way here are the weekly treatments. We are working all the time, the treatments do not bother at all and are not noticeable — just a wearying, monotonous existence with all our important affairs being neglected and destroyed. This is so unnecessary because we can get these treatments better outside than here. I could have the same treatments with the personal attention of a doctor and the instructions and advice that would go with the treatments with your own doctor. Here it is one of a crowd, with no opportunity to help yourself during these treatments. Some of us certainly hurt our cases by worrying and chafing over a routine that we have lived a lifetime differently; with some this is a form of despondency that retards or interferes with the success of their treatments. There are many cases of patients being treated outside, and, of course, there are a hundred times as many being treated outside as there are being treated in these hospitals.

During August, 1931, I had complete x-rays taken of all my teeth, and a very careful and thorough examination made of them. I was advised at that time by my

dentist to have all my teeth extracted and have plates made, and had planned to do this about the time I was sent here. They have bothered me for the last year and in December, 1932, I had them examined by a Napa dentist, who advised me to have them extracted at once; he told me they were in bad condition and the sooner I had them out the better. I had been trying to get a leave of absence for this purpose for some time and this leave was finally granted me in December, 1932. At that time my boy refused to sign my leave of absence blank and I have been unable to do anything further about it yet.

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My arrest was made about noon on October 5, 1931. I had no notice at all and was not allowed to clear up my desk, which was covered with the day's work. I was shown a complaint that enumerated several charges shown by a rubber stamp as: "Loud and boisterous talking"; "delusions of grandeur," and I don't know what others, but to this day I don't know what charges have been made other than what has been told to me by friends who have come to see me. I have been so disgusted with the whole business that I have never tried to learn all the details. My wife has been deaf all her life and we have always had to talk in a loud voice to her. In addition to this she has been in poor health; worse than ever since my commitment. This is the worst part of it. We have been married since 1895 — nearly 39 years; I have been in the U. S. Customs service continuously since that year. We have lived continuously in our own home in East Oakland for 33 years and I have had an exceptional, and official, record during all this time for industry, sobriety and allaround good citizenship. I have been a good provider always, have made a small fortune by hard work and intelligence, was the sole support and took good care of my wife's mother from the time we were married until her death in 1920. I have always lived a clean life; probably more so than the average citizen.

I have never had any sickness in my life and I have an official monthly record of this in the U. S. Customs service, which has been sent to the Treasury Department in Washington monthly during my 37 years' service. I have been told that laboratory tests indicate that I have a diseased blood condition, and I have never been sick a day; I have never had a disease of any kind whatever in my life and there is no record of any disease in my family history. And on top of this record, at 62 years of age, I am charged with insanity and other contemptible lies. In the meantime I have been working here regularly and continuously since the second month after my arrival, feeling the same as I have for years and, naturally, I am not enthusiastic or satisfied with their diagnosis. And as soon as I am released I will have the most complete examination possible, and the best treatments available if I need them.

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The doctor says they have no charges against me; that they don't know whether what I call charges are true or not — they know nothing about it. They say that, according to their laboratory tests, I need treatments. I say that if that is true, I am more interested in

getting the treatments than anyone can possibly be in seeing that I get them, and that I want to be in a position to get the most possible good from these treatments, which I am not getting here and cannot possibly get here. My whole life and routine here is one of greatest dissatisfaction, unrest, and discontent; I want the affirmative attitude which I cannot possibly get here. I don't see how anyone can think that unreasonable, or how anyone can think that it is not necessary.

Another matter that I might mention is that I am paying my way here, and at the same time working every day, and losing my time, which in money means more than \$200 every month that I am here. Far more important is the fact that I am unable to adjust myself to the conditions here and take advantage of the treatments given me — which I could do if I were home.

Will send you more details later and want to thank you for the help you are giving me.

Sincerely yours,
Luther Osborne.

Imola, Calif., June 17, 1933.

Dear Mr. Attorney:

Mr. Kelly has been up to see me. You will remember that in my letter of May 24th I wrote that Dr. Charlesworth had told me about having someone sign for me and Mr. Kelly came up about it May 28th. He saw Dr. Charlesworth and was given a copy of the leave of absence blank. Dr. C. told him to write a letter to the Superintendent requesting my leave and stating that he would sign for me; Mr. Kelly did that the next day. On June 5th I was called to the office. Dr. Charlesworth told me he had received Mr. Kelly's letter, asked me about my teeth and other things that I had written about, and talked

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so encouragingly that I thought surely my leave would be granted — but, they wrote Mr. Kelly that my “condition was not favorable for a leave of absence at this time.”

So, more than a month and a half has slipped by since I started on this latest effort to get my leave and I am about where I started. With my present set-up I don't know what is happening to my interests — and I can't do a thing, while I'm here, to protect them. If I were at home I could at least know what was going on, and prevent some of my worst losses—particularly looking after my rentable properties. The closing of my restaurant on California Street means a substantial loss to me that would not have happened if I had been given my leave.

Mr. Kelly and others that I have talked with seem to think it would be wise to take my case into court, and as the period suggested for “waiting a few months” has been

nearly a year, I don't have much confidence in waiting when it is costing so much every month I am here. The doctors are poor business men — that is conceded. None of them here know my case, except Dr. Charlesworth, and he knows from my records and tests — not by personal contact. They do not understand the seriousness of this detention to me, and if they did they would send me where I could get the whole benefit from the treatments, which I can't do here. They have no right to keep me here as they are doing. Of course, I know they have the right by law, and the might — and I'm here. But you know what I mean and a court would, no doubt, release me, as it has done in several of these cases during my stay here.

I am not a mental case; I have never been insane in my life and have never shown any indications of insanity. Regardless of the lies in my commitment there has not been a single instance of anything abnormal or unusual in my conduct. The doctor knows that but insists that I stay here for treatments.

It's about the rottenest deal I can imagine and I am still wondering how they can keep it up so long. There is no "consensus of opinion" as ordinarily understood; there are over 3,000 patients here and the ward doctor's opinion settles most cases, and there is no intelligent "consideration"

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of these cases by anyone but the ward doctor — there cannot be. Out of the rotten and designed mishandling of my case I've lost heavily, besides nearly two years of wasted time that I could have used to advantage. It seems to me that a few pointed questions could be asked that would bring a definite reply and let us know just what we would have to do.

Of course I am anxious to be released and they don't have any objections to my reasons for wanting my leave of absence, but that's as far as I get, and it's as far as anyone gets here who has no one to back him up outside. The one bad thing I've got to overcome is the effort of one of my boys to keep me here. Whatever the motive, it's not a worthy one and should not be permitted to control things as it has, and it would not be permitted to continue if carried to court. I want to be released and I am perfectly willing to go to any reasonable expense to obtain this.

Will you please send my letter to the Superintendent as soon as you can. This letter covers briefly my principal troubles and you can use those facts with surety in any way. The condition of my teeth should be an important matter for any doctor to consider and the fact that I'm not insane and still held here this length of time, is the serious and important part of my detention.

Sincerely yours,
Luther Osborne.

P.S. — I am so sure that I am entirely justified in making every reasonable effort to secure my release that I am going right ahead on the lines indicated by my letters to you and try to get a court hearing, if necessary, or unless a better way can be shown.

For that reason I thought it best to ask you for a frank statement as to how far you are willing to go in my case if our requests for my release are turned down by the hospital authorities? I know of so many cases that are kept here for years, and still here, and others that are kept only a few months, that I am quite positive in my conclusions, and if our requests by letters, or otherwise, direct to the hospital authorities are not granted, do you still consider the best way to handle the matter is to wait for them to grant my release? I would like to know so I can make my plans accordingly.

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Imola, Calif., June 19, 1933.

T. H. Stice, M.D.,
Medical Superintendent,
Napa State Hospital,
Imola, California.

Dear Dr. Stice:

With reference to my letters to you and my letter to Dr. Charlesworth under date of May 22, 1933, as explaining in part the importance and urgency of my request for a leave of absence, I respectfully ask for your consideration of the following statements and requests:

I have been here at the hospital since the early part of October, 1931; over 20 months.

I have suffered severe financial losses since coming here and I can prevent continuing losses by living at my home in Oakland.

My teeth are in very bad condition and need immediate attention.

There are no charges against me of any importance that are true; the Judge in my case said he would not have sent me here except for the treatments I would get for my blood condition. I have been getting these treatments for more than a year and I am informed my tests are very favorable; I will continue these treatments as long as they are necessary or desirable.

I am not insane at the present time and never have been insane at any time during my entire life.

I respectfully request my release. I request this release in accordance with individual human rights guaranteed by our laws, under any reasonable conditions that I can comply with.

Mr. J. J. Kelly, a U. S. Customs employee for 45 years and a highly respected and long-time resident of Alameda, will sign for my leave of absence.

Sincerely yours,

Luther Osborne.

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San Francisco, Calif., June 21, 1933.

Mr. Luther Osborne,
Napa State Hospital,
Imola, California.

Dear Mr. Osborne:

Your letter of the 17th inst., with enclosures has been received.

I have forwarded the letter to Dr. Stice as requested.

It is certainly proper that you should have your rights determined by the court, and probably some plan can be evolved if Dr. Stice does not grant your petition for parole with Mr. Kelly as your sponsor.

With kindest wishes, I am,

Sincerely,
Your Attorney.

Wednesday, July 12, 1933.

My Dear Kelly:

Received your letter of the 10th — will get this short note in today's mail. I have learned several things during the last year and a half and it may turn out to be a fine thing that I've learned them now and not some years later. My wonderful boy and that big stiff that lasted as chief until July 1st, is about the hardest combination I've been up against. But I'll get to the top yet, Kelly, and you may count on that.

As I told you, I had nearly \$2,000 in cash and two bank accounts. My property in Oakland, consisting of apartments and flats, is tied up; Bill is collecting the rents. I have one house in Long Beach which he is handling the same way. The boy can secure my release at any time, but he won't sign my leave of absence blank and he is purposely keeping me here. I suppose he doesn't want to be checked up on what has taken place since I've been here.

I am getting \$100 a month from my retirement payments but I don't see any of it; I can barely get enough for my trivial expenses here, and at the same time they

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are paying out of my funds to this hospital for my account. So, you can imagine just a little of what I am up against, and as I get to it I can tell you about a, lot of other outrageous, unjust and unbelievable conditions that you cannot possibly imagine coming within the law.

Let me hear more about Hamilton and if anything occurs to you that you think I could do to help matters, let me know.

With the best of all good wishes and many, many thanks,

Sincerely yours,
Lou Osborne.

As the application of June 19, 1933, was denied, Mr. Kelly tried other plans and help from another friend in San Francisco.

The next applications were dated July 26 and August 23, 1933.

Imola, Calif., July 25, 1933.

Dear Bill:

Will you please write a short note to Dr. Charlesworth and say that you have no objection to a friend of mine signing my leave of absence blank? You might also state that Mamma has no objections. I asked you both when you were here Sunday and you both said it was O.K. I have seen the doctor about this and I can get an old friend from the Customs House, with whom I have worked for over 30 years, to sign for me.

Now, Bill, please do this so I can get my leave. I've been here nearly two years and there is no good reason why I can't attend to these important things, and my teeth should be attended to at once.

Please let me hear from you that you will write or that you have written — or if you won't do that, come up as soon as you get this note. You can surely save me another month of absolutely lost time with no trouble to you.

Love to all,
L. O.

Alameda, Calif., July 26, 1933.

T. H. Stice, M.D.,
Medical Superintendent,
Napa State Hospital,

Imola, California.

Dear Sir:

Referring to my requests for a leave of absence for Mr. Luther Osborne, a patient at the Napa State Hospital, I again respectfully request that Mr. Osborne be granted a leave of absence to enable him to have his teeth attended to and to look after some of his personal affairs. His teeth are in a very bad condition and the necessary work on them has been long delayed.

I am advised that his family is favorable to my acting in this matter and that his wife is anxious for his release.

I will sign his leave of absence agreement and give you any further report or information that you may desire.

Will you please advise me?

Yours very truly,
J. J. Kelly.

Imola, Calif., July 27, 1933.

Dr. I. E. Charlesworth,
Asst. Medical Superintendent.
Napa State Hospital,
Imola, California.

Dear Dr. Charlesworth:

The enclosed application for my leave of absence should be accompanied by letters from my son and Mr. Kelly. They were both away for a couple of days and you will probably receive letters from them today or tomorrow.

As I have written in my application, my son and wife said they were perfectly willing that I should be granted my leave. My son was not willing to sign my leave of absence blank but my wife was. They were both willing that a friend should sign for me.

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I have been here nearly two years — since October, 1931. I have had no difficulty whatever since coming here, have not had a day's sickness and have been as well as I have ever been, except for toothache. I have worked steadily at the dairy and have been in daily contact with the people at the dairy during this time. My teeth are in bad shape and should be attended to at once. My flats and houses in Oakland need attention that

my boys cannot give them and I should look after several personal matters that have not been taken care of since coming here.

Can you please grant me a leave of absence?

I can give you a great many reasons why this leave is important and urgent, and if you will leave word for me with the attendant at the ward I will come to see you at any time.

Sincerely yours,
Luther Osborne.

Imola, Calif., July 27, 1933.

T. H. Stice, M.D.,
Medical Superintendent,
Napa State Hospital,
Imola, California.

Dear Dr. Stice:

With reference to my letter to you of June 19, 1933, containing statements and explanations concerning my leave of absence, I respectfully request a leave of absence to commence on Thursday, August 3, 1933.

My son, William, and my wife called on me July 23, 1933. My son said he would be perfectly willing that I should have a leave of absence if he did not have to sign my leave of absence agreement, and that he was perfectly willing that a friend of mine should sign for me. My wife said she was waiting for me to come home at any time and that she would be willing to sign my leave of absence agreement; I have asked my son to write you to this effect.

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Mr. J. J. Kelly, a friend of mine for 35 years and a highly respected, old-time resident of Alameda, will sign my leave of absence agreement. Mr. Kelly will write you requesting my leave.

I have had my teeth examined by the dentist at this institution and by Dr. Schneider, dentist, of Napa. They both advise me that my teeth are in very bad condition, and complete x-rays taken in 1931 showed this condition. Dr. Schneider said they should have immediate attention. This examination was made last October and since then the aching and decay has been very bad, and I am told I haven't a sound tooth. One of my urgent reasons for leave is this dental work needed.

Mr. Kelly's address is Alameda, California, and my son's address is: W. R. Osborne, San Francisco. I would ask that they be notified as to my leave of absence.

Thanking you for your consideration, I am

Sincerely yours,
Luther Osborne.

Alameda, Calif., Aug. 10, 1933.

T. H. Stice, M.D.,
Medical Superintendent,
Napa State Hospital,
Imola, California.

Dear Sir:

In reply to your letter of July 31, 1933, regarding my application dated July 26, 1933, for a leave of absence for Luther Osborne, can you advise me as to whether this leave can be granted?

Mr. Osborne's teeth are continuously aching and causing him uneasiness and I would like to arrange for his transportation to Oakland if he can be granted this leave.

Yours respectfully,
J. J. Kelly.

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Imola, Calif., August 16, 1933.

My Dear Kelly:

I wrote you a letter very hurriedly yesterday, and have been wondering about the delay; they never tell a patient anything about these matters at all. That's the way it has taken me six months and more to get anything definite.

I think they are holding back on account of Bill not writing in favor of my leave, instead of looking at it from what is best for my interests. My interests have never been considered; this experience has cost me thousands of dollars; with absolutely no excuse for it, and the longer it is continued the more loss it means to me. My business on California Street is a total loss and that was worth \$10,000 at a moderate appraisal to anyone who knows how to run it; I've spent over \$7,000 on it. This has been caused by my boys and if they had not opposed my leave it would have been avoided. The hospital authorities have certain technical rules and if they are not complied with, nothing is done, and it's all wrong and unjust.

Sincerely,
Lou Osborne.

During the time we were preparing the application of August 23, 1933, Mr. Kel employed another attorney. He went to work on the case rather indifferently and the main difficulty was in obtaining funds — my own funds.

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Alameda, Calif., August 23, 1933.

T. H. Stice, M.D.,
Medical Superintendent,
Napa State Hospital,
Imola, California.

Dear Sir:

At the request of several of the friends of Mr. Luther Osborne, as well as myself, who have been old associates of his for many years as an employee in the Customs House in San Francisco, we have requested Mr. L. W. Lovey, an attorney who resides in Alameda, and whose offices are in San Francisco, California, to look after the interest of our old friend Luther Osborne.

Upon Mr. Lovey's return from a visit to the State Hospital and having a very pleasant and satisfactory interview with Dr. Maddox, of your staff, he feels that from your reports that you have on file, and in the general conversation with Dr. Maddox, that Mr. Osborne is entitled to at least a leave of absence, instead of immediately taking legal steps to restore my friend, Luther Osborne, to competency.

There is no doubt in my mind, after considerable investigation, that the patient cannot expect any help from his blood relatives. This is very unfortunate, but I feel it my duty, as a friend, to help Osborne in his hour of distress.

As to my personal standing in the community of Alameda, independent of my years of employment and retirement from the United States Government from the Customs services. I feel that I am personally competent and reliable to look after Mr. Osborne and agree to have him turned over to my charge until he is restored to competency. That is a matter for the attorney to look after.

I would thank you if you would grant this request to let me know just what is requested as to medical treatment by local physicians, so that I may govern myself accordingly.

Very truly yours,
J. J. Kelly.

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Imola, Calif., August 31, 1933.

My Dear Kelly:

My letter and notes of yesterday were written hurriedly, and I am writing this in the hope that I can mention some things that may have been forgotten or overlooked.

Mr. Lovey's talk with Dr. Maddux was highly satisfactory, but when your letter came it reached Dr. Charlesworth and that is why you were written that permission would have to be obtained. There are many cases where that is not the case; one man working with me every day for several months was given leave and signed for by a lady friend of the family, because his brother would not sign for him. So, it's entirely up to the doctor here, and Dr. Charlesworth has always stopped my leave in the past, even when I have complied with all the conditions he made. He told me when Bill refused to sign, to get a friend to sign for me, and that is why I wrote you and asked you to come and see him. When you came up and later wrote the first application for my leave, he blocked it after he had seen my son. He blocked my leave when my wife came up and said she would sign for me. My other son, Ray, came up to see the doctor last December. He signed an application for my leave and after I was called before the entire medical staff they granted my leave. They notified Ray to come up and get me and when Bill heard of that he made Ray refuse to sign for my leave, and it's been up in the air ever since.

What Bill has arranged with Dr. Charlesworth I don't know, but he has blocked all my efforts to get my leave so far. I had a \$12,000 restaurant on California Street, San Francisco, that he paid no attention to, ran it at a loss for a year and a half and closed it up in March or April of this year. He had run it in debt and I lost the whole thing. I had spent \$7,000 on equipment and could have saved the place if he hadn't blocked my leave.

I have never had an accounting of any kind from him and he would not give me any information about any of my affairs. He did not file an inventory of my stuff when

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he succeeded in having me committed here, and I am told that he is required by law to do that very thing. I don't know anything about my rentable property in Oakland and Long Beach, and I left about \$3,000 in cash and bank accounts in my office when I was taken to the hospital without a moment's notice.

So, Kelly, I am sure that the best way is to take my case to court, and I think the sooner we do it the better. I cannot understand why Dr. Charlesworth is so unfavorable when he certainly knows that the whole thing has been handled wrong. There are a lot of cases here similar to mine, but they have not got anyone back of them outside and they stay here for years. Other cases like mine stay here three months or less, because their folks come after them. The last case was a dentist from Santa Rosa; he stayed two

months and his wife came and took him out. I could have been home months ago if my son had done nothing, instead of opposing everything that was done.

I am enclosing two sheets of letters that may be of some use, but I don't expect to hear anything from my letter to Bill and he will probably pay no attention to it. I am losing more than \$200 every month — and wouldn't stay here for \$500 a month if I could help it.

Sincerely,
Lou Osborne.

Imola, Calif., Sept. 14, 1933.

Dear Bill:

Have just finished writing a letter: to Mamma and thought I would write this note to you.

I don't suppose that it will do: any good to write you about the recent developments at home, but if you could see things from any standpoint except the one from which you have been "seeing things" for the past year or two, it would probably be greatly to your advantage and to the advantage of others.

I don't think Mamma's health is so good. I don't think your handling of many matters has helped her. Maybe I

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am mistaken, but I wanted to suggest that you give it a little thought.

Maybe you will think this is one word for her and many for myself; please don't — I am not worrying or thinking about myself at all in this suggestion.

Everything is the same as usual — nothing doing but wasting my time.

Weather has been fine lately. Would be glad to see you anytime.

Love to all
L. O.

Imola, Calif., Sept. 16, 1933.

My Dear Hattie:

Since writing you Thursday I have been thinking these things over and I am more disgusted than ever, if that is possible. I was mighty sorry to, hear that news about Ray and it reminds me of Lloyd's experience, only worse because of his family. I wish you would tell him when you can that I would like very much to see him.

To get to other troubles — does it ever occur to Bill that he should try and handle these matters with some intelligence, or at least in a different way than he has for the past two years. Whatever started this thing God only knows. That damned old fool Hamilton convinced him that I should be sent to this place because he had played the same dirty, rotten trick on his own son, and had him sent to Agnews. He was sore at me because I refused to put up longer with his unreasonable demands and I had tried for years to get away from having anything to do with him, more than was necessary in our work. Bill fell for it like a poor fool, and since then the doctor has kept him falling for it — at least he has been one influence that has kept Bill in his present attitude. When Ray asked for my release last December it was granted — and I could have been home January 2, 1933. Of course, when Bill told Ray to stop, the whole thing was balled up and I

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have wasted nine months more of this year already. If this experience had been handled right I could have been back at work over a year and a half ago. I have lost \$5,000 in salary alone and I don't know how much in other ways.

This and other things make it about the most stupid and colossal blunder that could have been pulled off. But that is no reason why it can't be handled right now — let's save what we can and be reasonable about it. Bill has so much to look after he can't do it right, and he can't break other people into Ray's work at once.

I am ready to go to work; have been for some time. The doctor here knows it as well as I do and he won't turn down any request from you. I have been considered useful in some ways and for many years I have been paid a good salary; and I can be just as useful as ever. I can certainly look after things that Bill cannot look after, and which, in the meantime, means a loss to us both. I refer to the apartments and flats and other things that are particularly my job.

I would suggest that you ring up Mr. Kelly. He is a fine gentleman, an old friend of mine for years and has helped me more than anyone in this trouble of mine.

Hope you are feeling much better. Also hope you will take these suggestions in the way I mean them. It isn't a question of finding fault — it's a question of doing the right thing. Keeping me here is absurd; it cannot help in any way, but it can and does make things worse.

Will probably send Bill a copy of this letter for his information and you will, of course, talk it all over with him.

With love to all,
Lou.

Imola, Calif., Sept. 18, 1933.

My Dear Kelly:

Your letter of Saturday was just received and I will get this answer in today's mail. They have got me damn near

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helpless here, Kelly, and all I need is to handle my own property and assets that I have worked hard for during 40 years. There must be some way. The whole thing is a damn disgrace; I certainly think it is more than unlawful — it's conspiracy, and that's what I'll work on when I can. Everybody mixed up in my case here knows that I should never have been sent here. The doctors know I am not a mental case and have never been insane, but they continue to hold me for treatments. And my fool son won't help in any way but tries to block every effort.

I want to get my case into court as soon as possible, because there can't be any question as to the outcome; I can get the treatments a damn sight better home than here — and hundreds of patients are doing that.

I am so damn anxious to get down and protect my own interests because I am sure my stuff is not handled right — and intentionally so; the closing of my restaurant has cost me several thousand dollars.

Sincerely,
Lou Osborne.

Imola, Calif., Sept. 19, 1933.

My Dear Kelly:

I don't understand why they have turned down my leave. Dr. Charlesworth is the only one objecting, and whatever he says goes here. He is the ward doctor and that's the way every case is decided. There are 3,500 patients here, and they keep it full, and the doctors decide about all their patients in their own wards.

They have no right to keep me here, but they have the might — and do keep hundreds here when they shouldn't be here. They have not one single charge against me that is true, and they know it. I have never been sick a day, have been working every day, and I've been here nearly two years. My treatments would be better at home because I would get the full benefits there, which I can't do here. And my teeth have been neglected two years.

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I am so sure a court would release me that I wonder they have the nerve to deny my leave. But that's what they can do, and they do it in hundreds of cases. There is no such thing as individual human rights here, and they continue this same procedure for years in some of these cases, because the poor devils can't get help from the outside.

When Ray made application for my leave last December it was granted. When Bill learned of this he made Ray refuse to sign for me and it has been blocked ever since. When I complained to Dr. Charlesworth he told me to get a friend to sign for me, and you know what has happened since. He thinks he will tire me out and that I will stay here indefinitely to keep the maximum number of patients as high as possible. Instead of being “good for me,” it’s the worst possible routine I could live under.

Anyway, Ray has had a fight with Bill and has left him and gone to Los Angeles. I did not see him and he is not here to help me out; he would have had me out if Bill had not stopped him.

So, you can see how I am fixed; my wife is not well, so she is helpless. There is no excuse for Dr. Charlesworth keeping me here. He knows more than enough to know that it is very important that I be given my leave and he knows I have lost thousands of dollars by being kept here. And if he knows anything, he knows that my health is not being considered at all, and “being here for my own good” is one big joke.

I want to do anything to get my case to court, and I will then be in a position to correct most of these damn fool things that have been forced upon me. Let me know if you have any suggestions. I’ve plenty of assets and we should be able to use them some way.

With all good wishes?

Sincerely,
Lou Osborne.

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Imola, Calif., Sept. 20, 1933.

My Dear Hattie:

Received your letter of Monday. I would like to hear more from Ray — he is off on the wrong foot, of course. Lloyd got a wrong start the same way. The way Bill has handled my case the last two years don’t promise much for him. Please send me Ray’s address as soon as you have it. The whole thing is wrong and the lack of plain common sense is the most apparent thing about it all; all I need is another bunch like that old fool Hamilton and Dr. Charlesworth.

Glad to hear. you are feeling better — when you’ve got your good health there is nothing to worry about; and that reminds me, that is what I am trying to hold — under difficulties.

With love from
Lou.

Imola, Calif., Sept. 28, 1933.

My Dear Hattie:

I haven't anything particularly *new* to write about. Here I am wasting month after month, doing nothing, and with months of hard work waiting for me at home; and besides that I am suffering a loss of over \$200 a month, and I don't know what I'm losing by not being able to look after my own things that need it so badly. All because of a stupid whim, or worse. It's been the worst managed affair I've ever been up against, and all unnecessary, unfair and unjust.

With love from
Lou.

Imola, Calif., October 9, 1933.

My Dear Hattie:

Well, I had a visit from Bill yesterday afternoon, as you know. I am glad he came up, as I had a chance to tell him some things that ought to do him good — I don't suppose he enjoyed the visit at all.

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I told Bill I was going to carry my case into court if I could; he can't prevent me using my own funds for this purpose — and he would not agree to it. This whole case of mine would be ridiculous if it wasn't so darn serious. I have been here two years; haven't been sick and everyone who knows my case, says that I should not be here, including some of the doctors. Because of a technical, unimportant detail I am kept here at a steadily mounting loss every day. For heaven's sake, let's handle this thing with some common sense, and get busy cleaning up and correcting some of the worst developments of the last two years.

Everything as usual — doing nothing but wasting time.

With love from
Lou.

Imola, Calif., October 25, 1933.

Dear Bill:

Maybe I am wasting time in writing this, but that is my whole life here, wasting time. and not getting the benefit I could get at home, where I would at least have peace

of mind and be able to do something worth! while.

Anyway, I am going to make another application for a leave of absence. I am through with all treatments and I can at least have my teeth fixed; it is certainly absurd to go on this way at a steady, monthly loss.

For heaven's sake, Bill, let's get down to facts and common sense. You know my opinion of some of the stuff put up to you by one of the doctors who ought to know better. You know my conclusions have been correct. You know important points I have brought out in our talks have been and are being proved to be correct — and some of the things you were so sure of, because you had what was supposed was good medical advice, have proved to be most unreliable and untrue conclusions; it should convince even you of errors of judgment and conclusions.

With love to all,
L. O.

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Imola, Calif., Dec. 20, 1933.

My Dear Kelly:

This is Wednesday, December 29th, and a full month since that preliminary notice was received here for November 20th. Was in hopes I would hear something favorable this week, but it seems as if I will have to spend another Christmas in this lonesome, disagreeable hole. Do you understand the delay, or is it my impatience that makes it seem so long? I get so damn sore when I think of being kept here over two years. I can learn nothing from the people here. I get no word from anyone, except my wife, and she knows nothing about the details.

Please overlook this "worrying," but if you could understand the miserable routine here, all unnecessary, you will appreciate my anxiety to stop my serious losses.

Sincerely,
Lou Osborne.

Imola, Calif., Dec. 26, 1933.

Dear Bill:

Have just been to see Dr. Johnson and he will be away next Saturday and Sunday, but suggests that you come up.

There will be another week's delay if you can't see him this week and there will be probably another few days after you see him before we get everything done; you will

not lose more than a half day. It will be a great help all around if you can come up either Thursday or Friday.

Sincerely,
L. O.

Imola, Calif., Dec. 30, 1933.

Dear Bill:

Was much disappointed you did not come up Friday, but the doctor said you could take the matter up with the doctor on duty if you came up Sunday; however, you

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won't get this letter until Monday and probably won't come up tomorrow on account of my letter telling you that Dr. Johnson would not be here Sunday.

Can't you make it some day during the week — that would be just as well, or better, than Sunday. If you understood the “miserableness” of this existence, and if you could realize the expense, the futility and uselessness of keeping me here, you would be anxious to “hurry it up,” as I am.

Love to all,
L. O.

Imola, Calif., Dec. 30, 1933.

Dear Mr. Attorney:

As I wrote you, my son promised me he would come up and see the doctor December 31st. He may agree to sign this request, but of that I am not at all sure. However, I shall advise you at once as soon as I know the result of his talk with the doctor.

I will probably write you Monday or Tuesday. We have no mail going out Sunday and it may be late before I can see the doctor. Will write just as soon as I can learn. I do not expect anything favorable, really; I have been lied to and about so much in this case that I think the effort will be to keep me here as long as he can.

I can't fully understand yet how he has managed to keep me here as long as he has, nor can I understand why the doctor has worked with him, by refusing my leave on Mr. Kelly's request, and saying they are keeping me here for treatments for a blood infection, that they admit I could get at home from my own doctor with better results.

Please let me know if there is anything I can do to help.

Yours sincerely,

CHAPTER IV

The year 1933 closed with no tangible results accomplished in obtaining my release; I had been working for that release for two years, and was still at the loathsome place, going into the third year.

Mr. Kelley was taken seriously ill in December, 1933; he was unable to help me at all after that, but I continued my efforts with the attorney he had employed.

After more tiresome waiting and letter writing, I wrote a three-page application for my release on February 19, 1934; the attorney was apparently helpless.



Imola, Calif., January 2, 1934.

Dear Mr. Attorney:

As I had half expected, my son did not come up Sunday as he had promised; he did not come yesterday, a holiday, and I have heard nothing from him. I don't know when he expects to come up and I don't expect any help from him. He did not even write a note. He has not seen the doctors since last March or April, and had not been here since October 8, 1933, until his trip up Christmas Day — and he would not go and see the doctor that day, as he said he had no time, although I asked him repeatedly to do so; it was then he promised to come and see them December 31st.

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Will you please go right ahead with your plans, as you write? I am very anxious to help in any possible way, of course, and am still wondering how it is possible to put this thing over, as has been done. I have been trying hard for over a year and a half — in fact, ever since I have been here — and have learned that it is almost impossible to get any “speedy” results.

Sincerely yours,
Luther Osborne.

Imola, Calif., January 3, 1934.

Dear Mr. Attorney:

I am enclosing the copies I wrote about before Christmas. My experience here has been so unbelievable that I am anxious to convey my impressions to you as clearly as possible. Not that my experience has been spectacular at all, but that such an absolute disregard of individual human rights can be so consistently and continuously carried out as I have experienced here, I would never have believed it possible, had I been told this two or three years ago. I do not want to be tiresome in this matter, nor repeat many things that may have been said before, but that this experience could have been carried out for this length of time, on perjured testimony and palpable lies, is a disgrace to everyone involved in furthering it and to the existing conditions that permit it.

Please bear with me in my efforts to cover the details as carefully as possible, and advise me if I can write you of anything not wholly understood by you, or clearly explained.

Sincerely yours,
Luther Osborne.

Imola, Calif., Jan. 10, 1934.

William R. Osborne,
San Francisco.

Dear Bill:

I received your letter of January 8th yesterday, and, of course, was much disappointed, as usual — as that's the only

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kind of news I have received since coming here. In fact, it is worse than disappointing news — it is unjust, unworthy, un-American (?) and a flagrant violation of individual human rights, as I have said and written before, and which I repeat.

The circumstances surrounding my commitment to this institution make it worse than I can describe it; since coming here my interests have never been considered and are not being considered now. Dr. Johnson has seen me twice, not more than ten minutes; he knows nothing of my case but what he reads from my folder and what is told him. Dr. Charlesworth knows but little more, but insists on keeping me here for treatment that I could get better at home than I can get here — they must have the place filled and they keep everybody here that they can. Dr. Charlesworth is keeping me here because no member of my family has requested my leave since the mess was made of Ray's request a year ago, when my leave was granted. Dr. Maddux said that I

was entitled to a leave of absence; it happens he is not on my ward, but he gets his knowledge of my case from my folder and from what he is told, as the others.

So I could go on for pages, but you wouldn't be convinced and it would be useless. You could have me released by a simple request — and the fact, it's your duty to do just that. You say you won't make this request because the doctor does not think it advisable for me to go home at this time. And I suppose you think the doctors know best what is advisable when it comes to settling a non-medical question like this. You know, and everybody particularly familiar with my case knows, as you and Mamma, more about that part of my case than the doctors — whether it is advisable for me to go home at this time; making a joke of an expensive and important matter. And in every case here, where the family of a patient is with him and for his interests, they decide that, and the doctors don't object.

In all my talks and letters with you, no reason or explanation is ever given me “why” it is not advisable — other than the treatments that I get once a week from internes and students that it is admitted I could get to my

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better advantage at home. There are literally hundreds of patients leave for home and get their treatments in their home towns; there are four now coming back each Thursday for treatments — two from Vallejo, one from Ross and one from Sacramento.

I have never been a mental case; I have never been insane for one moment in my life, and I have never shown as visible signs of foolishness as you have, even when drinking.

The doctors here have no “right” to deny me a leave of absence. They have the authority of law, but that doesn't make it right. The medical staff acts as the ward doctor suggests, and in my case it's Dr. Charlesworth; the new doctor knows very few of us.

I can't make an effective demand for my release, as I have every moral right to do, as it would get me nowhere. I am classified as incompetent by law, and while my rights and interests are supposed to be considered, they are not and haven't been. I don't even know how my case has been diagnosed, other than the laboratory findings of the blood infection, and I have no confidence in any of Dr. Charlesworth's conclusions, if he has any.

Of course I will continue every effort to get my leave, as I have every right to do. However, it is a very mean advantage to take of me and cannot do anybody any good. Your attitude is all wrong and the doctor can get away with it because it is an institution of this kind with 3,500 patients.

You say you are guided by the doctors' opinion and that they ought to know their business. I don't know their opinion; I have been unable to go with you to the doctor as often as I've tried. Comparing your report of what they tell you with what they tell me,

they do not “understand their business” by a long shot. I wouldn’t have Dr. Charlesworth treat me for anything if I had my way, as I don’t think him competent.

I certainly hope you will never have an experience such as I am going through, but I wish you could understand the colossal stupidity of it all. You know that if there were no funds to live on (as there would have been none 10 or

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15 years ago, with no fund to draw from and heavily in debt), I would have been at home long ago — at work, where I ought to be. You and others have said the best thing for me is as the doctors advise. That is not even remotely true as regards my going home. I am treated as a criminal; I never committed a criminal act in my life. Dr. Charlesworth read out before the medical staff at one of my conferences, that one charge against me was illegal “withdrawal” of public funds. When I told them that was a lie and that my accounts were never involved in my 40 years’ service in any way, he read further and found it read illegal “deposit” of public funds, whereas the heading read “withdrawal.”

If my former chief had as fine a record as I have in the customs service, he would be in a better position to criticize — and frame up a job that he learned by putting his own son through it.

I have been kept here two years and three months; I have been living in paper boxes and one old steamer trunk, with all the other inconveniences, and on a bed with a one-inch mattress with thirty others in a dormitory. It is an uncomfortable, irritating, unjust, undeserved, depressing existence, productive of no good results and altogether unnecessary. The routine is monotonous, long walks and reading the only diversion, and the doctors tell you that the best results will be obtained under these conditions. The statements you and others report as from the doctors, would not be believed by an intelligent man, and I give you credit for knowing better. That they “do not think it advisable for me to go home at the present time” would be a joke if it were not so expensive and serious: in other ways. I have lost over \$5,000 in salary; I have lost over \$7,000 that I have invested in a restaurant business that was worth \$10,000; I have lost considerable in rents because you cannot look after our flats and apartments and take care of your own affairs — and I am told “it is not advisable for me to go home at this time.” And with over two years of observation they still require more wasted time on my part to agree to my leave.

You are being made a fool of in this whole matter and the way you are handling it is making it worse. I can’t

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afford it this way, and you “can’t afford” it as well as I can. You are younger and have a good, growing business. You have already hurt yourself in a business way with this case of mine, and you will hurt yourself a great deal more if you don’t handle it differently; and if you can understand anything, you should be able to understand that.

Since you made yourself so sore over the letter I wrote you in November, 1932, and balled up the leave that was granted me in December, 1932, things have been worse. Your attitude gave Dr. Charlesworth his reason for denying anything for me; your opposition to Mr. Kelly resulted in a turn-down for his request, and they will continue that until the end of the “two or three years” that Dr. Charlesworth told me over a year ago it would take for treatments — and, of course, he will take the “three years” as long as you are satisfied; and some leave here after six months’ treatments, and continue them outside, which I could have done if my case had been handled right.

I am making this longer than I had intended. I have made many suggestions to you during your life and I don’t know of any bad advice I ever gave you — ever. I have given you good advice about this present case of mine, which you have not considered, but one can still keep trying.

The attorney who is handling my case will handle it as it should be handled. I have seen three other attorneys — they all agree that the case should have a court hearing, and that’s what I want and am entitled to if my leave will not be granted.

So, Bill, I won’t write more now. Have but a few minutes to catch today’s mail. I am so damn disgusted that I can’t express my feelings as I want to. You don’t realize what the devil you are doing, or what the devil you are not doing, may be a better way to put it. It is ridiculous to go on under these conditions when it is so easy to correct them, so for heaven’s sake, get your feet down to earth or down somewhere, and get out of your trance. Let me hear from you.

With love to all,
Luther Osborne.

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Imola, Calif., January 17, 1934.

Dear Mr. Attorney:

During the last week I have tried to get some information as to an “official diagnosis” of my case; there don’t seem to be one, I am told, other than the laboratory test of blood infection. I am very much limited in ways and means of getting this information, so what I do get is more or less fragmentary and at times relayed through one or more.

However, I know that there has been considerable talk with my boys by the doctor — and this talk is probably believed by my boys, one of them at least, to my disadvantage.

I have been here over two years in constant daily contact with a dozen or more people — three in particular; I might add that I have been continuously at work at the Customs house for 36 years and the people I have been working with there, in daily

contact, were as much surprised as I was when I was arrested on an insanity charge. During my more than 27 months here, I have not had a day of sickness; nor, during this time, has there been a moment when I was not a normal, healthy, intelligent man. So, any statement that I am not mentally a normal man is a lie and a slander. In this respect I am thinking of some things my youngest son has told me and written me.

In other words, they have nothing whatever at this institution upon which they can “rightfully” hold me. I suppose they can “legally” hold me for years, as they have already done, in fact, but I am not convinced there is not some penalty even for that.

And, of course, I know that they have no definite knowledge of anything but the blood infection and the condition of my teeth, but that does not stop a lot of libelous and harmful talk and, in some instances, downright lies.

If there is anything I can do, please advise me.

Sincerely yours,
Luther Osborne.

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Imola, Calif., January 27, 1934.

William R. Osborne,
San Francisco.

Dear Bill:

This is Saturday, January 27, 1934; I wrote you on January 27, 1934, and haven't heard a word from you, so I suppose it's up to me to keep on the job and try to get something done — as I've been trying to do for the last two years.

During the last several months, particularly, I have made it a point to discuss my case, and other cases here like mine, with men who are familiar with the details of my case, who understand perfectly the routine and workings of the institution, who have been in close contact with it for years and who hold responsible positions. What information I give you as facts, are *facts* — no surmise or guesswork. What information I give you as my belief, is my belief based on over two years of close observation, earnest and careful efforts to learn the methods, laws and routine of the place, and an open mind. No matter how badly I may think I have been treated, I am making reasonable, truthful and fair statements that no one can truthfully deny, in all my talks and letters with you.

I am writing you today to enquire particularly whether you have done anything about my case since you saw the doctor on January 7, 1934? Have you thought about it at all — I mean, have you seriously thought about it at all?

To me it is almost unbelievable — you will notice I say “almost”; it is painfully believable after my more than two years’ experience — that I could be sent here as I was, and kept here this length of time, under the conditions that have existed during that time. Since Christmas, 1931, or before, I have been practically an employee of this institution, without salary, and at all times a perfectly normal man, mentally. Whatever my physical trouble is, it is not serious; there are thousands of cases in the bay region alone, and there is a very grave doubt as to the accuracy of their diagnosis here, if one is to judge by their talks

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with you. To further illustrate the stupidity of it all, neither you or anyone else had a thought of insanity in my case until the suggestion came from an enemy of mine, who had worked out the same trick on his own son.

I am also writing to outline one or two of my plans, and to obtain your opinion, if you will let me know what you think of them:

First, I want to say you, can obtain my leave by simply asking for it; you can do this by mail direct to the Superintendent. I write this because I know it. Regardless of what you may have been told, a simple request for my leave will be granted. I might suggest that you include the fact that I am not insane, and never have been insane, but you would probably think that too personal. Damn well they know there is no insanity in my case, and for that reason severe criticism, and more, should be used.

Another plan: As you know, I have tried to obtain a court hearing of my case; I would be glad to have a court decision on my sanity, with any doctor or specialists. The reason I have been unable to do so is because my own funds are tied up. In the event this, continues and I can’t get my leave or a court hearing either, I have given the details of my case to a friend of mine in San Francisco who will forward them to Washington for an investigation of my case.

Please do not form any conclusions as to the reasons for this plan; I can explain these reasons much better than I can write them, and you are not familiar with these details yet.

There are several other things that I can suggest but this is surely enough for the present and for this letter. I know my own case thoroughly and I am very sure of my conclusions. I have had to work slowly, necessarily — because I wanted to be sure and because I have been so terribly handicapped. With over two years of worse than wasted time, some consideration should be given me. I have a 40-year record of which any man could well be proud — since 1894 in San Francisco — and if that means anything I certainly can have some of my rights considered.

Love to all,
Luther Osborne.

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P. S. — Have just come in from a long talk with an employee who has been here more than 20 years. No doctor but Dr. Charlesworth is opposed to my leave, and he would not oppose it when you ask for it, instead of leaving it all to him; and I repeat that he does not “know his business,” as you say he should — he should but he don’t, and some day I’ll prove it. This man I have been talking with understands my case thoroughly and says it is just like dozens of others that are left to the doctors — who want the place full. He says it is absolute nonsense to make me waste time here for treatments that I can get to better advantage at home than here. He is one of more than a dozen who tell me the same thing, and there are more than a dozen cases a month that leave here because their folks take them out, and for no other reason.

L. O.

Imola, Calif. ,January 29, 1934.

Dear Bill:

Will you please write me a note and mail it on Tuesday, tomorrow, or as soon as you receive this, and answer the following:

Will you come up within the next week and go with me to see Dr. Stice, the medical superintendent here?

If you prefer not to do that, will you write a request for a leave of absence for me, addressed to Dr. Stice, and mail it to me, so that I may deliver it personally to Dr. Stice?

I have never been able to see Dr. Stice; I have tried several times. Dr. Charlesworth told me that he (Dr. C.) was the assistant superintendent and that I could give him any message for Dr. Stice; when I told him I wanted to see Dr. Stice personally he said if I had anything special, it could be arranged. I want to go with you to see Dr. Stice or give him your request personally.

It would be better for us to go together; it will answer either way. I have just received information that makes it necessary to do this, or get my case to Dr. Stice some other way. The “flight of time” does not seem to bother you at all, but it is important to me.

Love to all and hastily yours,

L. O.

Imola, California, February 3, 1934.

My Dear Hattie:

Bill did not answer any of my last letters at all, and wouldn't even write me that he wouldn't do what I asked him to do; I will have to go it alone, as usual. He has been the worst stumbling-block of the whole affair, and if he had not opposed my leave I would have been home over a year ago.

Anyway, what's done can't be changed. I don't see what good it can do anyone to try and keep it up — and that leads up to what I want to ask you. You are familiar with this whole case. If you have read all the letters I have sent, you surely know the details. The doctor will probably never tell you that I am ready to go home; at least, I mean that is not the way they handle the cases here. Everybody has to make a request for a patient's leave, or, maybe a better way to put it would be: Every patient here has to have somebody make a request for his leave.

To partly explain why I say both you and Bill don't realize what you are doing in my case, I can mention a few of the things that come to mind. When we were married in 1895 we didn't have a dollar; in 1929 we were well off — some people called us rich. I made that by working my fool head off from 14 to 18 hours a day for years; I saw to it that most of that was put in your name for your protection. Along came the first real shock I ever had in my life — with what result. I have lost \$6,000 in salary during the 28 months I have been kept here; I had invested \$7,000 in a restaurant in San Francisco that was worth \$12,000, which I have lost completely. Our flats and apartments have not been taken care of right, because Bill can't look after them right and attend to his own business, and I don't know how much we have lost in that way. There is no doubt we have suffered a loss of \$20,000 already, with an unknown amount lost by the disgrace attached to the whole mess, which never would have been permitted had the least common sense been used. In explanation of this we start with the rotten, dirty, contemptible trick of a man who was trying to injure me for refusing

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to submit to a form of petty extortion, and put up this job on me because he knew of it by making his own son a victim. When I reached this place I was put in the hands of the worst specimen of a doctor here, whose talk to others about my case, but not to me, has been insulting and slanderous, and absolutely libelous; no other doctor has had anything to say and it is on this incompetent's advice and suggestions that I have lost over a year of time and I don't know yet how much it will eventually cost me in money. It's the most colossal piece of stupidity one can imagine and wouldn't last a minute in court, from which I am, so far, prevented from taking it, because I cannot use my own funds for that purpose.

What I want to ask you is this:

Will you tell me just how you feel about it, without any "ifs," or qualifications, or what the doctors say or don't say, or what Bill says or doesn't say?

This is certainly nothing unfair to ask you, and everything will be understood between us. I am preparing my easel with a demand for my release on the grounds that I am not insane, never have been insane, and that this is a hospital for the insane, where I don't belong, and where I should not be kept. There are other matters involved, of course, but that is the main issue this time. I want to know your feelings after this experience of, more than two years, and you surely will agree that it is best that we are both frank and outspoken with each other. I have written you very clearly of my attitude; I want to do everything possible now to correct the many blunders made, and not to continue the very conditions that will only make matters worse for everybody.

I will mail Bill a copy of this letter for his information; I would like to see him when he will come up.

Please write me fully as I have requested; let's get this job settled so we will all know just what to do.

With love from
Lou.

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Imola, Calif., February 10, 1934.

My Dear Hattie:

Your letter of Tuesday was received yesterday. That was some letter — although you haven't given the matter a serious thought; not a real, serious thought — not one. What you write about my criticism of Bill is O K — and good — in spite of the fact that my criticism is justified and what I write is true.

The point you make as to what I would do were I in Bill's place. is so far off as to be ridiculous; it is absolutely the very thing that never would have happened. Not only do I say that I would not treat my own father this way, but I don't know a soul on earth I would treat this way, as much as I may like or dislike any human being. And to go further, I'd say that I would not only not treat my own father this way, but I sure would see that no one else treated him this way, if it was the last act of my life — that's what I think of the rotten, contemptible trick pulled off on me. And I am not alone in this opinion by a long shot. You will realize that some day if you can't understand it now, and you will realize it because of the way it has been handled.

It's enough to make a horse laugh to think of the charges that were used — and manufactured; the people that I was in daily, personal contact with for years were as surprised as I was — and those interested enough to wonder at all, don't understand it yet. And I don't understand it all, myself, altogether; but I understand it a whole lot better after my last two years' experience.

So, while I am not asking you to do any specific thing, I am asking you to give some thought to what this way of handling the matter will lead to. That is one thing I wanted to talk over with you both. There are others concerned in whatever is done — and especially if nothing is done. There are some children and they have a long life ahead. It isn't only "yourself," or "myself," it's everybody concerned; it's bad enough as it is, and it shouldn't be made any worse — and you are making it worse, both of you, by the way you are doing it, or by the way you are not doing it.

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I might write another page or two of good reasons why I should leave this place, but it would probably be of no use; *there is not one good reason why I should be kept here*. I have been unable to get my case to court because I haven't the cash to advance for costs, so I can only keep trying in the other ways I am doing. If we could work with each other, instead of against each other, we could settle the whole thing.

I was almost tempted to tear up this letter when I had finished the first sheet, but decided to send it along and the copy to Bill. I am more than ever amazed that this cold-blooded farce can be carried on as far as it has been — in the U.S.A. at least — and I don't believe it will be permitted to continue when it gets into the proper hands; even a patient has some rights, and mine have never been considered.

Otherwise I have no trouble — at all! Everything is fine on the Potomac? Am still doing the same old stunt — nothing; wasting time and losing money.

Will write a short note to Bill when I send him a copy of this, but my letters to him are a frost. Anyway, I have tried to make everything as clear as possible to both of you.

With love from
Lou.

Imola, Calif., Feb. 10, 1934.

Dear Bill:

Have just finished a letter to Mamma, a copy of which I enclose, and will have time to write a few lines before the grub whistle blows — we are herded into meals by a steam whistle here.

I expect to have a hearing of my case next week and I think the medical superintendent will pass on it; that is what I am trying to have done — and not have it left entirely to Dr. Charlesworth, as it always has been. It was about time they made this change; he had three times as many patients as any of the others, with the result he couldn't take care of any of them right, I am told.

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There are other methods suggested which can be tried; whether we can accomplish anything, I don't know, but we can try. I shall certainly not lay down and do nothing, and if my leave is denied will try any or all of them.

What I want to ask you again is whether you have any suggestions or anything to say about these plans. To me it is foolish, but you make it necessary by doing nothing and being unwilling to help in any way. To follow your ideas, I would do nothing; I would stay here another year, or maybe ten. I suppose you would be satisfied with that if you were in my place, and that's what I understand you to mean. If I don't understand you right it would be a good plan to tell me clearly what your idea is. If we can be so far apart in the understanding of a matter as clear cut as this, I wish you would try again and explain what your suggestion is and just what I should do.

It seems ridiculous that I have to write this way. Some of the suggestions are preposterous, and even cold-blooded, and some have an absolute disregard of the common rights due any man living, and which you would be one of the first to demand were you in this position. And in addition to all this what can the result be but regret, confusion and expense and a certain disgrace for those that have nothing to do with it but relationship.

Anyway, I leave it all to you; I have tried my best to acquaint you with details here, and will work on these lines if I hear nothing from you.

With love to all,
L. O.

Imola, Calif., February 19, 1934.

B. M. Johnson, M.D.,
Napa State Hospital,
Imola, California.

Dear Dr. Johnson:

With this letter I am sending you a letter for Dr. Stice, and a copy of it for your information; will you please see that the letter is delivered to Dr. Stice?

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I respectfully request your consideration and favorable recommendation for my application for a leave of absence. I have been here nearly two and one-half years; my wife is not well and I am needed at my home. My older son, William, who is the only boy now at home, does not realize the seriousness of the condition of our affairs — and that is one important reason for making this application. Personally, I am in urgent

need of some dental work that I cannot have done to advantage except by the dentist I have been going to for years.

If you can give me the short time necessary, I would like to go over the matter with you and discuss some of the statements in my application and some things not included. Upon word left with the attendant at the ward, I can come from my work at the dairy at any time.

Respectfully,
Luther Osborne.

Imola, Calif., February 19, 1934.

T. H. Stice, M.D.,
Medical Superintendent,
Napa State Hospital,
Imola, California.

from: Luther Osborne,
Napa State Hospital,
Imola, Calif.

Dear Dr. Stice:

Because of recent changes in my affairs and, to me, the enormous losses in the management of my important interests, I respectfully submit the following statements for your consideration as having a direct bearing on my case. I had hoped to obtain a leave of absence without presenting these details, but the failure of several efforts during the past several months have made it necessary and desirable.

At the time of my commitment, October, 1931, my affairs were turned over to my two sons, William and Ray; William was the owner of a printing office in San Francisco, and Ray was working for him at a monthly salary. I had about \$2,000 in cash in the vault at my office, two bank accounts, a restaurant in San Francisco, and apartments, flats and houses, which I rented, in Oakland and Long Beach; these were turned over to William to manage.

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I have never seen a copy of my commitment papers and do not know what they contain. I am told that one charge is “illegal *withdrawal*” of public funds, while in the description of the charge it states “illegal *deposit*” of public funds. During my 35 years of service in the Cashier’s Office in the Custom House in San Francisco I have been responsible for and have personally handled, literally millions of dollars in negotiable money — gold, silver and currency. My accounts have never been involved in any way — never. The charge of “illegal *deposit*” was false; it was a difference of opinion as to depositing collections in the Federal Reserve Bank or the Bank of America. The making of this charge was discreditable; the charge itself was of no importance.

I do not believe my case is understood, and I am trying to show the absolute disregard of individual human rights, that everyone is entitled to, that has existed throughout in my case.

In this connection I will also state that my commitment to this institution was suggested and brought about by my former chief in the Customs Service, W. B. Hamilton. I had been closely associated with Mr. Hamilton for over 30 years — in outside business as well as our official relations. My commitment was spite work of the worst kind, and used because he had learned the details of these commitments by putting his own son in the Agnews State Hospital. My own family and those that I had worked with daily for years, were as much surprised as I was, when I was arrested on an insanity charge. There were no actions to indicate insanity, and the judge stated during my trial, which was held while I was in bed at the San Francisco Hospital, that he would not send me to this hospital except for the blood treatments I needed, as shown by tests taken there.

During my experience here, my wife and son, Ray, have been very helpful and fair, but completely under the control of my son William. Ray was working for William, had a family to support and had to do what he was told to do; my wife was living with William, is quite deaf, and in a great measure dependent upon others. When the complaint

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was made that brought about my commitment, Ray was ordered to sign it. When he made application for my leave of absence in December, 1932, it was granted, and when he was notified to come for me, he was ordered not to sign my leave of absence blank, and I was unable to take my leave.

The boys continued to operate my restaurant about one and one-half years. They gave it indifferent attention, were not acquainted with the work and had their own work to do. They lost considerable money through their operation of the restaurant and closed it during April or May, 1933; I was notified of it by Ray in May, 1933. I had invested over \$7,000 in this property; it was appraised at a value of \$12,000. It had been doing a profitable business for ten years; I had owned it for eight years. It was a complete loss when closed.

During my time here there has been a growing coolness between the boys and the open break came during August or September of last year, and Ray quit his job with William and went to New Orleans.

Since coming here I have lost \$200 monthly as salary; I was receiving an annual salary of \$3,500 as Cashier of Customs at San Francisco. I am now on sick leave at \$100 per month. I have been here more than 28 months. I have suffered an appraised loss of \$12,000 by the closing of my restaurant. I have at present, and have had for the past two years, many vacancies in my rentable apartments that my son cannot look after properly because of the demands of his own business; this item of loss in detail is unknown to me at present, but it is considerable. I have been doing this work for

twenty years and these losses could be stopped if I were at home. I acquired this property by hard work and careful attention to its management, and my son has had no experience with it at all. I have suffered a loss of probably more than \$20,000 since coming here.

I respectfully request that a leave of absence be granted me as the most important thing for my wife, my sons, my grandchildren and myself. I am not insane and never have been insane, and my forty-odd years' record in San Francisco

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and Oakland will bear this out in every way; my actions and record during my 28 months here will bear this out, also. Whatever my physical troubles are, they are being corrected, and I have been taking treatments steadily and conscientiously. I am more interested in getting these treatments than anyone living can be in seeing that I get these treatments, and I will continue to be that much interested as long as I need them. If given a leave of absence I will have the best medical care in the bay region, or I can continue treatments here if necessary; in any event I will be able to get the greatest possible good from these treatments by being at home, with the peace of mind I am used to. While my blood infection is shown by repeated tests, as I am told, I have never been sick in my life. I have never had a venereal disease of any kind in my life and have no idea how I could have acquired this blood infection. I am told my tests are very favorable and that I am progressing splendidly.

My wife will sign my leave of absence blank whenever she is notified. My son, William, has told me that he would sign my leave of absence blank when the doctors told him he could do so; I do not know what he tells the doctors as I have never been able to go with him to see the doctors. He has also told me he is tired of the work and expense of looking after my affairs, which he cannot do properly because he does not have the time or training; he would sign for my leave upon notice from your office.

These facts as listed herein would seem to a reasonable man to indicate that we were all agreed as to the best way to avoid these continuing losses, and to get the greatest possible good from the weekly treatments I am getting, but it has not worked out that way and I am appealing to you for help.

I must have some dental work done that is very important to me; I will have to have all my teeth extracted and plates made and I want to go to my own dentist that I have been going to for years. I had complete x-rays taken in August, 1931, and again in August, 1933, and they show the importance and need of immediate attention; this work has been delayed two years from the time it was originally planned.

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We have lived 34 years in our present home and have been the average good citizens and helpful factors in the upbuilding of the section of Oakland in which we have lived. I am 63 years old — born in 1870 — and am very anxious to take care of many things that have been altogether neglected since I have been here. At the time I

was sent here in October, 1931, I had an official record of 36 years' continuous service in the U. S. Customs Service at San Francisco; I am proud of every year of it. I have been in this institution a little over two years and four months without a single instance or incident of misconduct of any kind and with the actions of an intelligent, normal man at all times. During my time here I have been in daily personal contact with the dairyman, the assistant dairyman, and with the attendants of the ward.

Will you please give earnest and careful consideration to this appeal for relief and help? My wife is not well and this experience has had a depressing effect upon her, which will continue and increase under the present conditions. My sons are worried and distracted, and cannot take care of their own or my affairs properly, while I am here. Sending me here was a terrible blunder, very much aggravated by the handling of my leave of absence matter a year ago December, and I am very much needed at home; I can correct the pressing troubles at once.

If my leave can be arranged it will be greatly appreciated by us all, and I say that advisedly from an intimate knowledge of the conditions that exist in my home, and on behalf of my grandchildren, whose interests have not been considered.

Will you please advise my wife, my son or myself?

Respectfully submitted,
Luther Osborne.

There was considerable talk and discussion about my application of February 1 1934, by the doctors, and some others, and my ward doctor talked very encouraging to me. But nothing definite was done and on March 23, 1934, I sent in another two page application to the Superintendent.

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Imola, Calif., March 2, 1934.

Dear Bill:

I have just come from a talk with Dr. Johnson. He said he did not remember distinctly just what his talk was with you on the Sunday you saw him, January 7, 1934, and he asked me to have you see him again. He said he would be here Sunday, March 4, 1934 (day after tomorrow) and all next week, but that he would not be here the following Sunday, March 11, 1934.

Dr. Johnson has been very encouraging in his talks with me and says his concern is that I continue these treatments. He said he could not promise me anything definite, as the other doctors would have to be consulted, but he would help me.

Now, Bill, will you please help me in this? I have finished my last series of seven treatments, a week ago Thursday, and will have no more until seven weeks from that

date.

Please come Sunday if you can; you can see Dr. Johnson as early as 9:00 a. m.

With love to all,
L. O.

Imola, Calif., March 3, 1934.

B. M. Johnson, M.D.,
Napa State Hospital,
Imola, California.

Dear Dr. Johnson:

During our discussion yesterday I had intended to show you my teeth, that you could see their present condition, but as the x-rays of them were taken here last August, the records of my case probably contain full information. If my leave of absence is granted I can have them attended to during my present rest period from treatments.

With further reference to the charges against me in my commitment papers, with which I am not familiar, if any of them indicate a mental lapse they are not truthful. There has been no mental lapse in my entire life. My commitment was obtained by fraud and misrepresentations, of which the charge of "illegal or unlawful deposit of public funds" is a sample. It may be reasonable to describe the

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action in making the change of deposits as lacking in the best possible good judgment, but it was in accordance with established precedent in the routine and practice of the office. It was an unimportant charge, and discreditable. My own family had no thought of insanity in connection with my case and they reluctantly consented to the suggestion of a man who had learned of this method of reprisal by an experience with his own son; my youngest son signed the complaint that brought about my commitment under duress.

I am expecting my son, William, tomorrow and wanted to remind you of the serious condition of my teeth before he talks with you.

Thanking you for your favorable consideration,

Respectfully,
Luther Osborne.

Imola, Calif., March 6, 1934.

Dear Bill:

Just received a letter from Mamma and she wrote that you could not come up Sunday but did not say anything about your coming up during the week. This matter is entirely up to you, Bill, and I don't see why you don't do something for me about it. I am so deathly sick of the place that I've got to get away from it, and as for any benefit from staying here longer it will work exactly opposite; to stay here longer will work a positive injury to me — from a health standpoint as well as every other way. My teeth are in the worst possible condition.

The whole thing is getting more serious to me from every standpoint — and my health particularly, is being injured by the way things are now. Everything will be satisfactory by what I can do at home, and I am asking you to do this because I know the importance and urgency of it.

Love to all,
L. O.

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Imola, Calif., March 9, 1934.

William R. Osborne,
San Francisco, California.

My Dear Bill:

Not hearing from you today, I am writing you in this more or less formal way, as above, to make it a matter of record and for any possible useful purpose it may serve in the future. I am also writing to protest against the absolute lack of consideration given my interests, and troubles, for which you are largely responsible, at least to the extent that you allowed the action that was taken to send me here, that you took an active part in such action, and that you have perpetuated the present conditions for more than a year; I refer particularly to your action in blocking my leave of absence, which was granted me in December, 1932, upon Ray's request.

My teeth are in "bad condition," and when I write they are in "bad condition" I mean they are in the worst condition possible, or nearly so. During the summer months of 1931 I was advised by Dr. West, one of the best dentists in San Francisco, that my teeth should have immediate attention and that most of them should be extracted. During August, 1931, I had x-rays taken, had some work done on them and had planned to have the work completed that year — all of them extracted and plates made. I was sent here in October, 1931, and have been unable to have them taken care of

since that time — two and one-half years ago. This was caused by your action in blocking my leave of absence in December, 1932.

While I have never seen a copy of my commitment papers and do not know what they contain, I give you credit for knowing enough about my case not to believe the charges made against me. In fact, from what you have told me, and others also, I know you do not believe some of the important ones — and one in particular you know is a damn lie, which is the worst of the lot.

I have asked you repeatedly to cooperate with me, which you have refused to do, and at the present time you will not even come up to see the doctors and try to arrange

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for my leave. While the insanity charge was absurd, it has turned out a serious matter in loss of time and money. It is more than two months since you saw Dr. Johnson on January 7, 1934; your last trip here before that was on October 8, 1933 — and before that some time, last summer. The flight of time seems to mean nothing to you. When you are my age you will realize what it means to spend two and a half years of a life, already over 60 years, under the conditions I have lived that long — maybe you will realize it before you are my age.

I consider this the most unjust, unfair and altogether unnecessary treatment I have ever experienced — almost incredible. I repeat that the insanity charge was absurd, although serious. My physical condition had no effect whatever on my mental condition; I had shown no indications of any mental trouble and was taken away from my desk while at work. A man who was trying to make trouble for me because I would not submit to a form of petty extortion, induced you to work with him to send me here; it succeeded, but that does not make it right — it was spite work of a very low order. My last two years' record here should show even you the blunder that was made, and my last 30 years' record, to your knowledge, should show you the colossal stupidity of it all — and I can refer to my record during your lifetime with a great deal of satisfaction.

While I have been told by lawyer friends that a court hearing of my case would result in an order for my release, I have not been active in this matter. I do not know and have never seen the attorney who started the court action on my behalf last November; this was done entirely by friends of mine in San Francisco, who know the details of my case and are working for my release. I haven't the money for court costs and couldn't afford it if I had; I have lost enough through this experience and don't see why more expense is necessary. So, Bill, I am appealing again to you for help. What reason you can have for keeping me here I can't imagine. You have never given me a reason and you have insisted that you would like to be relieved of the time and expense necessary to the management of my affairs.

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What I want to do particularly is to have my teeth fixed at once, which will take a month or six weeks. I also want to do some work around our rentable property to increase the income, and, as important as anything, I want to have some peace of mind in order to get the greatest benefits from the treatments I am getting. I can't get that benefit while I am here — I can get the greatest possible benefits from them by living at home; and I am half sick now from the environment, worry, uneasiness, discontent, and the constant poisoning going on from my teeth.

If all this does not seem reasonable to you, will you please tell me what I should do? I want to cooperate with you and everybody concerned, and I am trying my best to do just that. If you will write me frankly just how you want to handle my interests, I would certainly appreciate it. You may be handling the business part of my affairs the best you can with the time you can spare from your own business; it is certainly shown in one instance by the complete and total loss of the restaurant property in San Francisco. In your handling of my personal interests, and matters pertaining to my health, you certainly need help — and apparently no one can give that help but myself.

Anyway, Bill, let's forget the past and start on a new plan. I'll do anything that's reasonable. I've spent the last 35 years of my life, before coming here, in doing the hardest work a man can do. I have worked 14 to 18 hours a day. I didn't have a dollar when I arrived in San Francisco. I have taken care of you, and seen that you were properly taken care of, for a large part of your life — and at the same time taken care of a family and acquired a modest fortune by hard work. I am entitled to some consideration. I don't want a great deal. I want to retain as much of the good health I have always had as is possible — and I can't do that here. I'm seriously concerned about my health on account of the rotten condition of my teeth, and with the drawbacks of my existence here. I need this change more than anything else in this world.

With love to all,
Luther Osborne.

Imola, Calif., March 14, 1934.

Dear Bill:

Received a letter from Mamma and while she is not complaining, as she never complains, she is feeling particularly blue and not at all well. She writes that she had another fall, hurt her sore hand again and her other knee, and suffers from dizziness.

I don't know that it will do any good to write you this letter, but I want to add my protest again to your absolute disregard of Mamma's interests, as well as my own. Mamma's health is of more importance than any troubles of mine, and for the last year

and a half particularly, you have kept her under a strain that she cannot stand. You are apparently managing this whole case of ours from some personal motive, regardless of the rights and interests of Mamma, myself and others.

This is not a pleasant letter to write, and I take no pleasure in writing it. You no doubt feel that you are responsible for the way you are handling things, but you can't be responsible in any effective way for certain things that may happen and be brought about by your management, that cannot be corrected — and good health is one of those things.

You might write me what you think of Mamma's condition, although you have only written me two short notes during my two and a half years here, and I don't suppose I will hear a word from you. I am more concerned about Mamma than I am about my own troubles, and my suggestions have been made in an effort to correct both. I have no suggestions to make other than I have already given you. I could correct the worst of our conditions by being at home; I am helpless while I am here. If this message will cause you to think it over, it may help — I hope so.

With love to all,
L. O.

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Imola, Calif., March 23, 1934.

B. M. Johnson, M.D.,
Napa State Hospital,
Imola, California.

Dear Dr. Johnson:

I am sending you another letter for Dr. Stice. This is a very important matter to me, and to every member of my family. I am trying to protect my son, as well as myself and family, from the results of a course of action that he is carrying out, that will lead to serious loss if continued; I can correct these things without trouble by being at home:

Please advise me if I can give you any other information or if I can help in any way. Some of my problems at home should be corrected at once, and my teeth should have immediate attention.

My wife is not well and she is not aggressive; she will not quarrel with the boys and has no idea as to the condition of our affairs. She will sign my leave of absence blank at any time, and writes me that when the doctors notify my son that I can be granted a leave of absence, he will sign for me.

Will you please advise me so that I may write to my wife? Thanking you for your consideration.

Respectfully yours,
Luther Osborne.

Imola, Calif., March 23, 1934.

T. H. Stice, M.D.,
Medical Superintendent,
Napa State Hospital,
Imola, California.

Dear Dr. Stice:

With reference to my letter to you dated February 19, 1934, and my talk with Dr. Johnson on March 3, 1934, I have been unable to induce my son William to come and see you or Dr. Johnson about my leave of absence; my wife writes me that he will not come up and he is evidently determined to keep me here as long as he can. I am enclosing copies of three letters to my son, dated

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March 6, March 9, and March 14, 1934, about my leave of absence and my case in general; I have received no comment or answers to these letters. Will you please read the letter dated March 9th carefully, as it covers several matters that I wanted to call to your attention.

My son's treatment of me and my case has been unfair, unjust and unwarranted; his work has been a succession of failures. I do not understand his motive, but it is not a worthy one. I am told that he has not complied with the state law covering the requirements and duties, and the accounting that he has filed with the court, which has been much delayed, would not be understood by anyone but myself. I have never had access to this accounting, and have never received from him any information or details of any action taken in the handling of any of my affairs or business interests. I have received information from my other son and from my wife that he has closed my restaurant at a total loss, and that we have many vacancies in our rentable properties, and many unpaid rental bills.

My son was responsible for blocking the leave of absence granted me: in December, 1932, and I have been unable to have important dental work completed that was started over two and one-half years ago. I cannot understand who else could have been responsible for sending a man here to tell me that I would be furnished with an automobile and a driver to take me to Reno, Nevada, and would be given \$300.00 or

more, if I wanted to leave this institution in this way. I was told by this man that a friend of mine would do this for me; that he did not know who this man was, who was such a friend of mine, but that he had been sent here by a man who did not know me, but who was acting for this friend of mine. He would give me no names and said he would meet me at any time with the money, and suggested 7:00 o'clock in the morning. When I refused this offer he left me, and I heard nothing further from him. This incident occurred in the early part of December, 1932, and I reported it to Mr. D. L. Beard of Napa at that time; Mr. Beard said he would report it to you.

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I am writing in this disparaging way of the activities of my son in an effort to show you that it is important that I be allowed to go home to take care of things that have been altogether neglected, and correct many things in the handling of our rentable properties, which I can do without objection when I am home. My son does not understand what he is doing; he does not realize the seriousness of the condition of our affairs, and for his interests, as well as the interests of the whole family, he will have to have the help I can give him to prevent further serious loss. My son is stubborn and headstrong, and his management has been a series of mistakes and bad judgment; his motive is hard to understand and I am trying to protect him, and others, against his own actions.

I respectfully request that I be given a leave of absence as soon as it can be arranged. My wife will sign my leave of absence agreement or Mr. Kelly will sign for me; they are both more responsible than my son. My son told me the last time I saw him, on December 25, 1933, that he would sign for my leave of absence when the doctor notified him that he could; if you will notify him that he can sign for my leave, he will do so.

If I am granted a leave of absence I will return here each week for my treatments as long as I need them, and will pay whatever charge there is for these, treatments in advance; I can reach here in less than two hours direct from Oakland by stage.

Will you please help me? I am a perfectly normal man, mentally. I am not guilty of anything; the only truthful accusation that can be made against me is that I may not have used the best possible good judgment in changing the deposits, and this change was suggested and recommended by a representative of the general accounting office not six months before I took this action. The insanity charge was false; if all of the testimony was not false, much of it was based on hearsay and belief, and some of this testimony was not believed by those offering it. I can make the further statement that some of the testimony I have been told of as being in my commitment papers, was known to be false by those who offered it.

I respectfully submit these statements as having an important

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bearing on my case. I have no ill feeling for anybody. During my two and one-half years here, conditions have all changed and those responsible for my experience here are out of the service and the matter is closed; my concern now is to conserve and protect my important interests that I have worked diligently and successfully for forty years to acquire. My wife is not well and needs my help; my son Ray is in New Orleans and his wife and two children are living with my wife. My son William lives with his own family and does not see much of my family in Oakland.

Will you please help us all by arranging for my leave of absence?

Respectfully submitted,
Luther Osborne.

As there was nothing done about the application of March 23, 1934, I wrote to friend in San Francisco who was in the newspaper business and to the District Attorneys of Alameda and San Francisco counties. The Alameda County District Attorney replied, but no word of any kind was received from the San Francisco District Attorney.

I also wrote to the judge through whose court my affairs were being administered and received a very helpful reply from him.

The following letter is to a well-known San Francisco newspaper man:

Imola, Calif., March 28, 1934.

Dear Mr. Newspaper Man:

I am writing to you again because I am unable to carry my case to court, because I believe it is a matter of general interest, and because I am particularly helpless here.

To explain my case, in street parlance, I will state that I have been "railroaded" into an insane asylum. Those who were responsible for sending me here will say it was entirely "legal." It was not right; it was based on fraud and misrepresentations

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I have been the Cashier of Customs at San Francisco since 1912 and in the office of the Cashier of Customs since 1896. At the time of my commitment to this institution, October 5, 1931, I had a continuous service record in the U. S. Customs Service at San Francisco for 36 years.

I am now a patient in the Napa State Hospital, at Imola, California, where I have been for two years and a half, on sick leave, drawing \$100.00 monthly from the retirement fund. My home is in Oakland, California, where I have lived continuously for 38 years. I am here on sick leave — I have never been sick. I was taken from my

office in the Custom House in San Francisco while I was at work, and arrested on a charge of insanity. The doctors at this institution tell me I have a blood infection for which I need treatments. I have been getting these treatments, once a week, for more than two years. I am working here every day; treatments consist of an injection of medicine in the arm, which takes about five minutes. Many patients from here take their treatments at their homes; others return here from their homes each week for treatments. I was told when I first came here that the treatments would take about two years. When I learned of several cases leaving here after treatments for six months to a year, I made application for leave of absence. When this was denied, several efforts for my leave were made by friends for me, but without success.

I have consulted two lawyers. They say a court decision would order my release, but they cannot take it to court unless I can pay the costs, and I am prevented from using my own funds for this purpose by my son.

I am a patient in an insane asylum — it is called a hospital. I have never been insane for one moment in my life. My commitment was secured by fraud; I have had no opportunity to disprove the charges made. My trial consisted of a ten-minute visit by three men when I was put to bed in the San Francisco Hospital.

My experience here has been so unbelievable that I have delayed this letter for some time. I would not have believed it, if I had been told it was possible before coming here. That such an absolute disregard of individual human

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rights can be so consistently and continuously carried out for this length of time, on palpable misrepresentations, is a disgrace to everyone involved and an indictment of the law or existing conditions that permit it.

In order not to go into too much detail in this letter, I am sending you herewith copies of letters to the superintendent in charge, to my ward doctor, and to my son. If these letters can be read they will show the details of my last attempt to get a leave of absence.

Since my letter of March 23, 1934, to the Superintendent, I have had an interview with my ward doctor, Dr. Johnson. They still refuse to grant me leave and say that their only reason is to keep me here for treatments, ignoring the fact that I have offered to return each week for treatments.

My object in writing you at this length is the hope of getting some help from you in getting my release. I am a perfectly normal, intelligent man. Under the law they have no right to keep me here, but under their interpretation of the law they say they have that authority. I consider it a matter of considerable general interest and importance, and it could occur to anybody under conditions that allow it, as in my case. This condition at a state institution should be exposed.

The authorities here knew long before December, 1932, that there was no insanity in my case. If a man who has been a good citizen, and a heavy tax-payer, in a

community for nearly forty years, can be treated in this way without recourse, it certainly should be investigated.

If the matter could be brought to the attention of the chief officer of these hospitals, the director of institutions of the state, it might be corrected; I can do nothing while here.

Could you advise me of an attorney who would take my case. I have ample means; I have the results of 30 years of hard work and successful management, but it is in the control of my son. If he has filed any accounting I have never seen it and no one else would understand it. I am advised that he has not complied with the state law. I have lost heavily through this experience, but will gladly pay any reasonable fee for an adjustment.

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I realize that this letter and my request for help may be something you cannot take up. I am helpless while here and opposed in every way by my son; I will have to be home to prevent continuing losses under his management, so I am making every effort. The handling of my case by the authorities here is unjust; I am one among 3,500 patients, with my son doing his best to keep me here for purposes unknown to me which I believe to be unworthy — or worse. The authorities here know practically nothing of my affairs.

Will you please advise me if you can do anything for me? Can you investigate my case or ask for an explanation of it? Keeping me here: is causing me serious financial loss, and there is no good reason for it. Asking your indulgence for this long letter, which has been written under hurried and awkward conditions with many interruptions, and thanking you for your consideration, I am,

Sincerely yours,
Luther Osborne.

P.S. — In reading over the attached letter to you, I notice I have omitted an explanation of the cause of my arrest on the insanity charge. This was proposed and put through by W. B. Hamilton, the Collector of Customs at San Francisco at the time of my commitment. He suggested it to my son and my son fell for it; I do not know why he worked with Mr. Hamilton instead of protecting my interests.

Mr. Hamilton handled the whole affair. When the complaint was ready, my younger son, Ray, who worked for my son William, was ordered to sign the complaint, so William and Hamilton were not connected with it. This later caused a quarrel between my two sons.

I had been associated with Mr. Hamilton for many years in outside business as well as our Customs work. He was not holding up his end of the work and became greatly peeved when his income from these outside activities stopped; he “had it in for me” for some time and when he thought he had an opportunity to make trouble for me, he made the unimportant charge of “unlawful *deposit* of public funds.”

It was a contemptible trick that would have amounted to nothing if I had had an opportunity to disprove it. I was never called upon for an explanation and was never given a trial. It was the most inconceivable procedure imaginable, and a particularly vile and unwarranted frame-up.

I consider I have had unjust, unfair, un-American and unlawful treatment. I shall demand my release on the grounds that I am not insane, and that everyone concerned in my case knows that I am not insane. This will not do any good, of course, as I am a patient. It would be effective from somebody acting for me.

Again asking your indulgence for the length of this letter, I am

Yours very truly,
Luther Osborne.

On April 4, 1934, I wrote to the District Attorney of Alameda County for investigation of my case and received a reply from him dated April 10, 1934.

OFFICE OF
DISTRICT ATTORNEY
OF
ALAMEDA COUNTY
Oakland, California,

Oakland, California, April 10th, 1934.

Mr. Luther Osborne,
Napa State Hospital,
Imola, California.

Dear Sir:

In answer to your letter of recent date, we wish to inform you that insofar as your commitment is concerned, any investigation thereof should be referred to the District Attorney of San Francisco County.

With respect to your estate, if there is any reason to believe that the same is not being properly administered, I would suggest that you communicate with the Judge of the Probate Court.

Yours very truly,
District Attorney.

Imola, Calif., April 12, 1934.

To the
Judge of the; Probate Court,
Oakland, California.

from: Luther Osborne,
Napa State Hospital,
Imola, California.

Dear Sir:

I respectfully request an investigation of my case.

My name is Luther Osborne. I have lived continuously in Oakland since 1894. I have been in the U. S. Customs Service at San Francisco since 1895. I have been the Cashier of Customs since 1912. At the time of my commitment to this institution I had a continuous service record of 36 years in the U. S. Customs service at San Francisco. I have been a good citizen and a steady tax-payer of Oakland during that time.

At the present time I am a patient in the Napa State Hospital at Imola, California.

I do not believe my interests or my rights are being protected or considered — from a business or financial standpoint, nor in respect to my health.

My son has had complete charge of my affairs since October, 5, 1931. I am told that he did not file an inventory as required by law, and that he did not file an accounting as provided by law. He has given me no information of any kind about my affairs since coming here, and no one else would know whether an inventory or an accounting filed was correct or not.

I have reason to believe that he was responsible for an offer made to me by a stranger, to furnish me with transportation and funds to leave this institution without permission and go to Reno, Nevada. He knew I was anxious to be at home, and blocked the leave of absence that was granted me shortly after this occurred. I have written of this in more detail in my letter to the Superintendent on March 23, 1934. (Copy enclosed.)

He is not handling my affairs as they should be handled, and I am suffering steady losses by being kept here. He has closed, at a total loss, a restaurant property in San Francisco in which I had invested over \$7,000, and which I had operated profitably for seven years. He has his own

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work to take care of and my rentable property in Oakland is being neglected.

My son could secure my release by simply making application for my leave of absence; this he has refused to do, and he has blocked every application that has been made by others.

I have recently written to the District Attorney of Alameda County; he suggests that I communicate with you if I have reason to believe that my estate is not being properly administered. I am sending you herewith a copy of my letter to him and his reply. I am

also sending herewith copies of letters I have written to the Superintendent in charge here, to my ward doctor, and to my son, William R. Osborne. These letters will explain my last efforts to obtain a leave of absence and other details of my experience here.

I believe that I am being unlawfully detained here. I do not believe that the law authorizes the detention here of a perfectly sane person for any length of time.

I believe that a letter from an outside source would bring about my leave of absence. I am one among over 3,000 patients, with about ten doctors, and I am told our ward doctor has over 500 patients. I have received no answer to my letters to the Superintendent and the only word I can get is by waiting at the ward for the doctor to make his rounds and get a few hurried words with him, which have never brought any results. In some cases like mine the patient is kept here for an indefinite period. It is unjust, and, in some cases, I believe it is unlawful. I have complied with every requirement asked of me, but my leave has been denied.

I respectfully request that something be done about my case that will enable me to protect my own and my wife's interests and property that I have worked years to acquire. I can do this by being at home and giving the attention to my Oakland property that it requires. If I can give you any further information, I will do so promptly; if there is anything I can do, I should like to be advised. If there are any necessary expense or costs I can pay them from my own funds. If more information of any kind is

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desired about my case, I can write more in detail. I am working every day at the dairy here and have been ever since I arrived. I do not see a doctor except when I go to see him for some special purpose — in my case, about my leave. Our treatments are given to us by internes and students, and I have never been sick since coming here; in fact, I have never been sick, but I am on sick leave from the Customs service.

Will you please advise me?

Thanking you for your consideration, I am

Respectfully yours,
Luther Osborne.

Imola, Calif., April 25, 1934.

District Attorney of
San Francisco,
San Francisco, Calif.

from: Luther Osborne,
c/ o Napa State Hosp.
Imola, California.

Dear Sir:

I respectfully request an investigation of my case.

My name is Luther Osborne. I have been in the U. S. Customs Service at San Francisco continuously since 1895. I have been the Cashier of Customs at San Francisco since 1912 and in the office of the Cashier of Customs since 1896. At the time of my commitment to this institution, on Oct. 5, 1931, I had a continuous service record in the U. S. Customs Service at San Francisco for 36 years.

I have lived in Oakland continuously since 1894; I have been a good citizen and a steady taxpayer during that time. My present home is in Oakland, where I have lived continuously for 34 years.

I have written to the District Attorney in Oakland, who advises me that any investigation of my case should be referred to the District Attorney of San Francisco; I am enclosing a copy of his letter to me.

At present I am a patient in the Napa State Hospital, at Imola, Calif., where I have been for over two years and a half, on sick leave, drawing \$100 monthly from the Customs retirement fund. I was taken from my office in the Customs House in San Francisco while I was at work, and arrested on a charge of insanity.

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While I am a patient in this hospital for the insane, I have never been insane in my life; I should never have been sent here and I should not have been kept here. My commitment was secured by fraud and I have had no opportunity to disprove the charges made. My ward doctor, Dr. B. M. Johnson, says the only reason for keeping me here is for treatment.

I believe I am being unlawfully kept in this institution.

I do not believe the law authorizes the detention of a perfectly sane person here for any considerable length of time, as in my case.

My important interests and rights are not being protected or considered; from a financial or from a health standpoint. I believe I am the victim of a flagrant violation of individual human rights.

Can you call for an explanation of my case from those holding me?

I am unable to obtain legal assistance because my funds are in the hands of my son, who is trying his best to keep me here; his purpose is unknown to me. If he has filed any accounting I have never seen it and no one else would understand it. I am advised that he has not complied with the state laws in some particulars, and that he did not file an inventory as required by law. He has not advised me of any of the details of his management of my affairs since I was sent here.

The judge stated at my trial that he would not send me here except for the treatments that I needed, as shown by my laboratory tests. The doctors here tell me I have a blood infection for which I need treatment. I have taken these treatments for over two years. When I learned that I could do better by living at home, I was granted a leave of absence which was blocked by my son.

I am over 60 years of age; have lived forty years in Oakland and have never been sick. I have been successful and the average, intelligent, good citizen. If I had been told

that a citizen of this state with my record could be subjected to the experience I have been through since October, 1931, I would not have believed it.

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I respectfully request that something be done about my case that will enable me to protect my own and my wife's interests and property that I have worked years to acquire. I can do this by being at home and giving the attention to my Oakland property that it requires. If I can give you any further information, I will do so promptly; if there is anything I can do, I should like to be advised. If there are any necessary expenses or costs I can pay them from my own funds. If more information of any kind is desired about my case, I can write more in detail. I am working every day at the dairy here, keeping the records and taking care of correspondence. I do not see a doctor except when I go to see him for some special purpose — in my case, about my leave. Our treatments are given to us by internes and students, and I have never been sick since coming here; in fact, I have never been sick, but I am on sick leave from the Customs Service.

I am one among over 3,400 patients, with about ten doctors, and I am told our ward doctor has over 500 patients. I have received no answer to my letters to the Superintendent, or to my son. The only word I can get is by waiting at the ward for the doctor to make his rounds and get a few hurried words with him, which have never brought any results. In some cases like mine the patient is kept here for an indefinite period of time if outsiders want it that way — it is unjust, and in some cases I believe it is unlawful. I have complied with every requirement asked of me, but my leave has been denied.

Will you please advise me if you can do anything for me?

Thanking you for your consideration, I am

Respectfully yours,
Luther Osborne.

During the first part of May, 1934, I again made application for my release and wrote a letter to my ward doctor, Dr. B. M. Johnson, and to the Superintendent, Dr. T. H. Stice; both of these letters were dated May 9, 1934, and both were turned over to Dr. Charlesworth, the Assistant Superintendent.

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On May 12, 1934, I was transferred from the C. C. Cottage, which is called an open ward, to the Francis Cottage, which is a locked ward. This was done as a punishment for writing these, perfectly respectful and reasonable letters asking for my release. I had been directed to do this very thing by the ward doctor, but when it did not suit Dr. Charlesworth, who, besides being Assistant Superintendent, was actually running the place while Dr. Stice was sick, their instructions meant nothing. This transfer meant loss of all privileges and being locked up with more disagreeable and insane patients because of a whim of an incompetent doctor.

After being locked up in this ward, I continued my work and made another application for my release on July 23, 1934, still maintaining that I had some rights.

Imola, Calif., May 2, 1934.

Dear Bill:

Yesterday I was sent for by Supervisor Bickel and given a "summons" to file an answer within 30 days to an action by Harriet E. Osborne to declare five pieces of Oakland real estate as community property.

I was going to write and ask why you didn't tell me about it Sunday, but when I think that you have not told me "anything about anything" of any of my affairs since I have been here, I don't suppose I will learn anything about it at all. I am not much concerned about it anyway, but I would like to know just what purpose it will serve; it may help in some way.

So, please drop me enough lines to briefly tell me just what will be accomplished by this and maybe I'll be glad it's being done — or maybe it won't make any difference whether I'll be glad or not. And also, please write: me the name of the Judge who is handling the matter, and where his court is — Oakland or San Francisco. I hope it isn't New York.

Thanks for that fruit; I've got to have fruit here above everything else — with my teeth and this awful grub I'd have a swell time without some fruit.

Love to all,
L. O.

Imola, Calif., May 9, 1934.

B. M. Johnson, M.D.,
Napa State Hospital,
Imola, California.

Dear Dr. Johnson:

Will you please do something for me with the enclosed application for a leave of absence during my coming rest period, for the purpose of having my teeth attended too? I am unable to sleep half of the time and there is a continual aching and soreness from the condition of the roots and gums. By going home I can have the work done by the dentist who has done my work for years.

My son will come for me and do everything necessary when he receives a letter that my leave can be granted. I have written in detail about my teeth and my file would contain the x-rays. They are in particularly bad condition and the work has been delayed over two and a half years.

Respectfully yours,
Luther Osborne.

Imola, California, May 9, 1934.

T. H. Stice, M.D.,
Medical Superintendent,
Napa State Hospital,
Imola, California.

Dear Dr. Stice:

I respectfully request permission to return to my home as soon after tomorrow, Thursday, May 10, 1934, as I can arrange for transportation to Oakland.

On Thursday, May 10, 1934, I will receive my last treatment of this series and I am very anxious to have work started on my teeth at once. My teeth are in terrible condition and during the past few weeks I have been sick from the aching, soreness of gums and mouth and a general sick condition.

Will you please write to my son that he can come for me any day next week? He said he would come up as soon as he heard from you.

Respectfully,
Luther Osborne.

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Imola, California, May 9, 1934

My Dear Hattie:

Please let me know whether Bill is coming up Sunday, or if not Sunday, what day he will come up, and whether he has heard from the doctor.

Am going to try and get some stronger tooth medicine today or something to stop the soreness of the gums; feel like the devil at nights and can't sleep half the time.

With love from

Lou.

Imola, California, May 9, 1934.

Dear Bill:

Will you please come up next Sunday, May 13th, if you hear from the doctor before that?

I have seen the doctor about going home to have my teeth fixed; I think he will write you. Have had a fierce time with my teeth this last week and am going to the dentist for medicine and a look-over today.

Will write more when I know more about it, but you may hear from the doctor before I hear anything.

Love to all,
L. O.

Imola, California, May 10, 1934.

Dear Bill:

Saw Dr. Johnson again this morning and he said he would see Dr. Charlesworth today about my case and then he would write you. When I told him I had written to you and asked you to come up Sunday, he said, "I will write in a day or two."

Love to all,
L. O.

Imola, California, May 10, 1934.

My Dear Hattie:

I am enclosing a copy of a letter I wrote Bill — which explains itself. Hope you can give me some news as to whether Bill has received a letter from the doctor. Saw the dentist yesterday and he fixed two teeth at the roots, so it helped some, but the whole lot has to come out right away, he says.

Love from
Lou.

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Imola, California, May 23, 1934.

Dear Bill:

Will you please come up and see me? I wrote you Thursday, May 10th, and told you what Dr. Johnson told me. Saturday, the 12th, I was transferred and the few privileges I had were cancelled with my transfer. I saw Dr. Charlesworth Sunday morning for a few minutes and he told me he wasn't altogether familiar with the reason why I was transferred, but thought it was because they thought I would leave without permission. Of course, I don't believe this. They know I couldn't leave without permission if I wanted to; of all things, this I couldn't do. With the results of 40 years of the hardest kind of work, in Oakland real estate, they know, of course, that would never happen.

Anyway, this thing is getting to be serious. They may have heard that I have said that I believe I am being unlawfully held here; that I do not believe the law authorizes them to hold a perfectly sane person here for the length of time I have been kept here, and that I do not believe my interests or my health are being protected or considered. I have not made that statement to them — yet, but they have heard it from others. I don't suppose you have heard from them, although Dr. Johnson said he would write you.

You can settle everything if you will. I can't get anywhere alone, because I am a patient. They have no moral right to hold me — they say they have the legal right when you make no objection. They know there is no insanity in my case. Dr. Johnson told me in my last talk that they "did not want to penalize me in any way"; that they "wanted to give me more treatments."

I am now being kept in a ward from 4:15 p. m. until morning the next day — every day. The environment is fierce and the only thing I can do is read and wait. It's a form of torture, in a way, and it can't do any good in any way — and it can do harm. I have only a few minutes to get this mailed so will have to close.

Love to all,
L. O.

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Imola, California, May 23, 1934.

My Dear Hattie:

For God's sake, Hattie, will you please do something about taking me home? I have been unable to write you until today as they have transferred me to a ward under Dr. Charlesworth and the routine keeps me inside from 4 o'clock in the afternoon until the next morning. I am unable to take my walks, that I have been depending so much on, and I am about sick. I am working every day until the middle of the afternoon — I want to do that, of course, to keep going, and it enables me to get away from the environment that is worse than it ever was. I am living miserably with a crowd, that I can do nothing but read or sit down and wait for the day to pass. I don't know why I was transferred.

I feel like the very devil with my teeth and the whole routine is making me positively sick. It is all so unnecessary and unfair that it is out and out persecution.

With love from
Lou.

Imola, California, May 29, 1934.

District Attorney,
Alameda County,
Oakland, California.

from: Luther Osborne,
Napa State Hospital
Imola, California.

Dear Sir:

With reference to my letter to you of April 4, 1934, and your reply dated April 10, 1934, I have written to District Attorney Matthew Brady of San Francisco under date of April 25, 1934, but I have not received any reply to this letter.

As I have been a resident of Oakland for 40 years, and a married man with family cares since 1895, I respectfully request your help in some way to obtain my release from this institution.

My commitment to this institution was obtained by fraud and misrepresentation. I should not have been sent here and I should not have been kept here. I cannot understand why the authorities are keeping me here, but I

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am told that they require an application from outside for my release. I am also told that if such application is not made that a patient is kept here indefinitely, and that certainly is not the intent of the law.

I am not insane and never have been insane. I have a forty-year record in Oakland and San Francisco and am proud of every year of it. The doctors found I had a blood infection and I have been taking treatments two years and a half and will continue these treatments as long as I need them. There is not one good reason why I should be kept here and there are many good reasons why I should be at home.

I believe I am being unlawfully kept here, but I cannot do anything effective about it without outside help. My son could take me home at any time, but he refuses to comply with the usual technical procedure here, and in the meantime I am forced to stay here under the most disagreeable conditions.

Can you advise me if there is anything that you know of that I can do to help myself? I have thought that having been a resident of Oakland for so many years I could get some help from Oakland if my case did start from San Francisco. I have written a second letter of inquiry to the District Attorney of San Francisco but have heard nothing from him.

Thanking you for your consideration, I am

Respectfully yours,
Luther Osborne.

Imola, California, July 2, 1934.

I. E. Charlesworth, M.D.,
Asst. Medical Superintendent,
Napa State Hospital,
Imola, California.

Dear Dr. Charlesworth:

For the past 20 years, more or less, I have made a practice of walking daily — sometimes a mile, sometimes ten, and have found it the best form of exercise I can use. I have an official sick-leave record of all my years in the Customs Service — have never been sick and have had no

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sick-leave until my experience here. I attribute this to my moderate exercises, my outdoor life and my healthful manner of living. I have kept up this practice here and am very anxious to continue it as a means of maintaining good health. I have not been sick a day since coming here, other than my experience at the Infirmary while undergoing the malaria treatment.

I respectfully make application to be transferred to the C. C. Cottage that I may continue these walks and the outdoor life that I am used to and require; during the last

six weeks I have gained some 20 pounds in weight, am considerably overweight and have been feeling generally miserable from the confinement.

I understand that I was transferred from the C. C. Cottage because it was thought I would leave here without permission; I do not understand how I could possibly have given anyone that impression. With the results of years of hard work and thousands of dollars invested in Oakland real estate, that is one idea I couldn't even consider.

Please accept my assurance that this will never happen in my case and that I never had even a remote thought of it. When I leave this institution I will go with the same clear and clean record that I have always had, at all times and in every way, during my entire life.

Respectfully,
Luther Osborne.

Imola, California, July 14, 1934.

My Dear Hattie:

The reason I have not written sooner is because I have been so thoroughly disgusted with the whole matter. I have a 40 years' record in your life — since 1894 — and I don't know where your interests were ever ignored or not protected; in fact, you apparently don't realize how well you have been taken care of.

On the other hand, when my interests were concerned, I was handed this rotten, contemptible mess. And to top it all, the most despicable and disagreeable part of my whole experience (the last year and a half), has been kept up just because rules and regulations permit it; it's like kicking a man when he's down, tied hand and foot.

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I don't suppose it will do any good to write you this way, but it's what comes to mind and one can always keep trying. To think that after more than half a lifetime of hard work and effort, such an experience is possible, is the serious part of it — and it wouldn't continue if I could get it to court; and I can't get it to court because I can't use my own money to get it there. That's how helpless one is here when conditions are right.

However, I'm not altogether downhearted. It will probably have to work itself out until everybody concerned can use better judgment. I have received some good legal advice lately that may help, and have been told to take it easy — that the longer I am kept here, after the reasonable period of time that I should have been kept here, will only prove the colossal stupidity of it all and the liability of those legally and officially involved.

I don't want to write more of this now, but when either of you could stop the mismanagement and miserable handling of my case, without trouble or expense, I can

hardly help putting all these things in; if I could get it to the right people, I could stop it — it may be “legal,” but it is not the intent of the law.

I have put in over two months of a particularly miserable existence — without any reason for it at all. From a medical standpoint, or what would probably be called “hospitalization,” my routine is exactly what it should not be. There is not one good reason why I should be kept here — there are several very good reasons why I should have been sent home long ago. My advice to you both is to get me out of here as soon as it can be arranged, and you will probably find it is as important to you as to me, but my advice don’t seem to get very far.

And in spite of it all, I am feeling fine and am in fine shape; my general condition is, probably as good as it ever was, and that means “good.” The condition of my teeth, which are in terrible condition, is the only drawback and it is one of the indictments against the management or handling of my case here. I have only been prevented from having my teeth taken care of, only two and a half years — which was all planned before I was sent here.

I am enclosing copies of some letters; I sent you a copy

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of my last letter to Bill, May 23rd, and that’s all I know about my transfer to a ward that knocks out any possible enjoyment of any day, and prevents me from doing the few things I could get a great deal of good from, in the way of walks and outdoor life; I have heard nothing from any of these letters. My teeth still ache a great deal but not so bad as they did, and from the point of soreness they are getting better because I have killed a good many of the nerves.

I realize you will not enjoy this letter; I also realize I am in the most disagreeable and trying position one can be forced in — and there are several similar cases right here. Some day, no doubt, it will be changed, but in the meantime I am trying every day to get my release in order to attend to my own business, and to protect my own health that is being daily aggravated here — and no one has the right to prevent that — although they have had the power for over two years. I am also tired of being treated like a criminal, when I have never committed a single criminal act.

Well, that’s that — and I hope you will read this with the same feeling that I have when writing it. Just a feeling of being square with myself and everybody else. I haven’t any feeling that is even bitter — I want everything that is done, to be done as much for your interests as for mine — and a great deal more.

So, let’s see if we can’t get together on some reasonable line of action, and enjoy what life we have left in some reasonable way.

With love from
Lou.

To the
Judge of the Probate Court,
Oakland, California.

from: Luther Osborne,
Napa State Hospital
Imola, California.

Dear Sir:

This letter is from Luther Osborne — again. I wrote you under date of April 12, 1934, and received your reply under date of April 19, 1934, for which I sincerely thank

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you. I have been so bitterly disappointed in my efforts to obtain my release from this institution that I am appealing to you again for help. I want to apologize for bothering you with my trouble with the explanation that I don't know where else to turn; I have few opportunities to help myself because of the restrictions here.

I am not insane and never have been insane; I should not have been sent here and I should not have been kept here for this length of time. The authorities here will not release me because my son will not sign for me. Since coming here in October, 1931, nearly three years ago, they have prevented me from having important dental work done that was planned before I was sent here; this is a serious matter because of the condition of my teeth and the consequent injury to my health. They have denied my leave upon the application of Mr. J. J. Kelly, who made this request when my son refused to sign; this application of Mr. Kelly was made at their suggestion and every requirement they made was complied with.

I have suffered a loss of more than \$20,000 by being kept here — which is taken up in more detail in my letter to the Superintendent of February 19, 1934, a copy of which I sent you. Reasonable protection of my health has been disregarded and I could mention other serious and important delinquencies. I do not believe the law authorizes the detention here of a perfectly sane person as long as they have kept me — and that is my case.

Dr. Maddux told Mr. Kelly and his attorney that I was entitled to a leave of absence when Mr. Kelly made the application. Dr. Johnson, who was my ward doctor at that time, told me on March 2, 1934, that they “did not want to penalize me in any way” — “that they wanted to give me more treatments.” Dr. Charlesworth, who is my present ward doctor, has successfully blocked every effort of myself and others to secure my leave of absence since December, 1932, when I was granted leave upon the request of my son, Ray, which was blocked by my son William. Without mentioning what I have been told as to his competency and fairness by his co-workers of years, Dr Charlesworth has handled my case in an unfair and unjust way. He has not protected my interests or my

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health and has made it impossible for me to protect them. On the grounds that I am entitled to the protection of my own health, I have practically made demands for my release, agreeing with every condition that is necessary and have complied with all requirements. This has been resented and has resulted in petty curtailment of some of the liberties allowed the patients here.

What I write may seem incredible — I would hardly have believed it before my experience here. Violations of individual human rights are common and there are cases worse than mine. With outside influence a patient here is fortunate; with those influences withdrawn, he is very unfortunate.

My son has had complete charge of my affairs since October 5, 1931. I have received no information from him as to my affairs since coming here, and no one else would understand any accounting he may have filed or whether it was correct or not.

I am the average, normal man; maybe better than the average in some respects. I have an official record in the Customs Service for 36 years with no sickness; I have never been sick. They tell me that blood tests show that I have a blood infection; I must accept that because I do not know otherwise. This is a physical trouble, if it is true, and I have never had any mental trouble in my life. My commitment was secured by fraud and misrepresentations and there was nothing to warrant my commitment to this institution. Because they decided I needed treatment for this blood infection I was sent here.

The authorities here have kept me in this institution for nearly three years. I could have taken these treatments at my own home to better advantage, as thousands of others are doing. Hundreds of patients from here are sent to their homes after a few months of these treatments, which would have been my experience if my son had not blocked my leave.

My complaint is that the authorities here allowed this action to result in what is practically a jail sentence for nearly two years, determined largely by one man. I am losing over \$200 monthly by being kept here, besides other losses occasioned by the lack of attention to my Oakland

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properties. In addition to this I am treated somewhat as criminal and never have committed a criminal act in my life. My living conditions are particularly distressing, but I will not write of these details.

Can something be done to secure my release?

I have talked with two attorneys who tell me that no doubt my release would be ordered if taken to court, but I cannot use my own money for this purpose.

Could I have an attorney appointed by the court handling my case, to investigate my commitment?

Or could an arrangement be made that would enable me to get a court decision on my case?

Or can an order or a request be made for an explanation of my case from the authorities here and from my son?

I am making suggestions about something of which I know but little, I guess, but I am actuated by an anxiety brought about by my long confinement here.

This letter has been written under many difficulties and interruptions. I am trying to show you how really serious my position is, in a way, and it may be hard for you to believe all I am trying to convey — every statement is true. And there are many statements made about my case that are not true. I have never been able to get any diagnosis of my case here, other than that I have this blood infection, and I am told there is none. Any other diagnosis coming from here would have to be confirmed by competent people. I am more than willing to submit to any test by competent people — I am even anxious to, if it can serve any useful purpose, and, of course, I will demand it if the question is ever brought up in a tangible way; other false statements have been made about my case and some appear in my commitment papers.

Will you please advise me if you can tell me of anything that can be done about my case?

I can of course give you any further information wanted that may not have been included in these letters, and I want to cooperate in any possible way I can.

Thanking you for your consideration, I am

Sincerely yours,
Luther Osborne.

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Oakland, Calif., July 20, 1934.

Luther Osborne, Esq.,.

Dear Sir:

Your letter dated July 18, 1934, inquiring about the status of your guardianship matter, received.

I find from the guardianship records in this County that your son was appointed the guardian of your person and estate by an order of Court in November, 1931. The guardian has returned an Inventory and Appraisement in this matter and has filed an account and report of his guardianship. This account and report has been continued for settlement to, and will be heard and settled, August 14, 1934, at 10:00 a. m. in Department 4 of our Superior Court.

An action was recently brought by your wife in the Superior Court here for the purpose of establishing the community character of your real property in this County. Judgment has been rendered in this action declaring this property to be community

property of the marriage of Mrs. Osborne and yourself, your guardian appearing for you in this action.

If you are not now insane but have recovered, the Superintendent of the Napa State Hospital is enjoined by the law to discharge you as cured.

Sincerely yours,
Judge of the Probate Court.

Imola, Calif., July 23, 1934.

To the
Judge of the Probate Court,
Oakland, California.

from: Luther Osborne,
Napa State Hospital
Imola, California.

Dear Sir:

Your letter of July 20, 1934, was received yesterday; I thank you sincerely for writing me.

I am very much interested in the hearing to be held August 14, 1934, of the account and report of my son.

Could an order be issued for me to appear at this hearing?

I knew that the inventory and appraisement was much delayed; I do not believe that anyone except myself and my son would know that an accounting filed was correct or not — no one else could know.

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My son has told me nothing about my affairs; he wrote me one letter about the action to declare community property, after I had been served with a notice here, and I wrote for that information. My wife knows practically nothing of these matters, and my other son knows but little, and he is away.

Before any accurate settlement of his accounts and report can be made, I would have to check them. From the little he has told me in answer to direct questions, I anticipate inaccuracies, errors and omissions.

Please make it possible for me to appear at this hearing, if it can be arranged.

I have been trying to get some idea of his management of my affairs since coming here, but have been unable to get any detail. He has reported to me that Dr. Charlesworth has told him not to take up these matters with me, ridiculous as that sounds, but my whole term here has been a series of things hard to believe — and unjust, unfair discrimination.

I am sorry to keep bothering you with these troubles — it is hard to believe that similar things are going on with many, and very few outside have any idea of the conditions here.

Again thanking you, I can furnish any other information you may desire that I have not included in my letters.

Sincerely yours,
Luther Osborne.

After spending more than two months in the locked ward, working every day including Sundays and all holidays, under the most miserable conditions, I wrote another letter to the Superintendent, for my release, on July 23, 1934, and gave it to a friend of mine who was going to try and see Dr. Stice for me. The next day, July 24, 1934, I wrote a letter to Dr. Charlesworth and sent him a copy of my letter to Dr. Stice written the day before.

That same afternoon, on July 24, 1934, I was transferred to a worse locked ward in the main building by Dr. Charlesworth for writing these letters, kept there for two weeks, doing nothing, when they transferred me back to the first locked ward.

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Imola, Calif., July 23, 1934.

T. H. Stice, M.D.,
Medical Superintendent,
Napa State Hospital,
Imola, California.

Dear Dr. Stice:

I have been advised by the Hon. Lincoln S. Church, Judge of the Superior Court in Oakland, Alameda County, that my son has filed an account and report of my case and that this account and report will be heard and settled August 14, 1934, at 10:00 a. m. in Dept. 4 of the Superior Court in Oakland. It is very important for me to attend this session of court.

Since coming here in October, 1931, I have worked conscientiously and faithfully with everybody in connection with my case, in every way that I possibly could. I understand my tests are satisfactory and that I have responded to treatments very favorably. I will continue these treatments as long as I need them and will return here each week if necessary.

My teeth are in very bad condition and in urgent need of immediate attention. They have been very painful for months and I am seriously concerned about the poisoning from the diseased roots; I am very anxious to have them attended to at once.

Judge Church also advises me that if I am not insane, "the Superintendent of the Napa State Hospital is enjoined by the law to discharge you."

I am not insane.

I respectfully request that I be discharged.

I make this request with all due respect to yourself and everyone concerned with my case. I will comply with and fulfill every reasonable condition or requirement. I have no attorney of record because I have been unable to obtain any of my own funds for this purpose I have had advice and counsel from an attorney-friend and have his full approval of this notice; he will deliver or mail this letter. I want to cooperate in every way.

Will you please advise me?

Respectfully submitted,
Luther Osborne.

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Imola, Calif., July 24, 1934.

I. E. Charlesworth, M.D.,
Asst. Medical Superintendent,
Napa State Hospital,
Imola, California.

Dear Dr. Charlesworth:

Enclosed you will find a copy of a letter from me to Dr. Stice; the letter I gave to a friend of mine who called on me yesterday. He said he would try and see Dr. Stice for me and deliver the letter, or he would mail it.

I am experiencing a most miserable existence. With the terrible condition of my teeth, the lack of walking exercises, being locked up from 4:00 p. m. to 7:00 a. m. the next morning, with the environment I cannot avoid, is positively making me sick.

There is only one of my sons home now — that is William. He has his own business to take care of and all of my affairs are being neglected. In order to have my apartments and flats occupied — places that I always rented for \$35.00 to \$45.00 a month — he is letting them go for \$10.00 and \$15.00.

Other things that I am financially interested in he can do nothing with, and I could save them from absolute ruin with an hour or two a day by being at home. I am losing over \$150 a month in these items alone by not being home.

I have been here nearly three years; have been taking treatments steadily. I can return here each week for treatment, direct from Oakland by stage in less than two hours, and will gladly pay for them. By being at home I will have an opportunity to

look after my Oakland property, have my teeth fixed, and be in a position to get the greatest possible good from these treatments, which I cannot possibly get under the present conditions.

Will you please consider this from the standpoint of what is best for all of us. My wife is not well and cannot be well while things are this way; she is under a constant strain. My son William is the only one who is indifferent, and my desire is to help him as well as the others — he will later appreciate this, but apparently does not care at present.

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The attorney Mr. Kelly had looking into my case had a talk with Judge Church about my case and wrote me some time ago that my son's accounts and reports of my case had been pending since I was sent here. This is what Judge Church advises me is to come up August 14, 1934, as written in my letter to Dr. Stice. He may require my help on this as these accounts would be understood only by myself and my son. Judge Church's letter to me was dated July 20, 1934.

Will you please advise me if I can give you any further information? I can come in from my work at the dairy at any time and would be pleased to make clear any detail about my case that you may not be familiar with.

Respectfully yours,
Luther Osborne.

After writing my letter to Dr. Charlesworth of July 24, 1934, and spending two weeks in the locked ward in the main building, they transferred me back to the first locked ward so I could continue my work at the dairy. If they could not have used my services to advantage in that way, I would probably have been kept in the main building indefinitely.

The following month of August my wife was taken sick again and I made other attempts to get home in September.

Imola, Calif., Sept. 6, 1934.

I. E. Charlesworth, M.D.,
Asst. Medical Superintendent,
Napa State Hospital,
Imola, California.

Dear Dr. Charlesworth:

My wife is seriously ill and I am writing this more or less personal letter to advise you of the seriousness and importance of my case at the present time. My wife's trouble has been gradually getting worse the past few months. My son, William, is the only one of the family now at home in Oakland and my wife does not see him sometimes for over two weeks, and has to depend on neighbors for necessary help and assistance; my son, Ray, and his family are now in Los Angeles.

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If permission can be granted me to return home for a short period, at least, to help out in this emergency, it will be very greatly appreciated.

Will you please do what you can for me in this matter, and if I can go will you please advise my son so he can come for me and make the necessary arrangements?

Thanking you, I am

Respectfully,
Luther Osborne.

Imola, California, Sept. 7, 1934.

Dear Bill:

Will you please write to Dr. Charlesworth about me going home while Mamma is sick? Dr. Charlesworth told me today to write you about going home. When he gets word from you or Mamma I will have what they call a conference, and that's the way these matters have to be handled.

Love to all,
Lou.

Imola, California, Sept. 18, 1934.

Dear Bill:

I wrote you September 7th and May 9th and 10th and 23rd and haven't heard a word. If you won't come up, won't you write me a note? You haven't been here for about five months — or is it longer? If you knew how terribly monotonous this life is you would do something about it.

I am feeling fine in every way except my teeth. Hope Mamma is better; I heard from her about the 7th or 8th.

Love to all,
L. O.

Imola, California, Sept. 18, 1934.

My Dear Hattie:

Have just written Bill a letter and am sending you a copy; it is much harder to write than it used to be, and my living conditions are fierce.

Hope you are feeling a whole lot better and that you will be able to take a ride up here.

With love from
Lou.

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Imola, Calif., Sept. 24, 1934.

To the
Judge of the Probate Court,
Oakland, California.

from: Luther Osborne,
Napa State Hospital,
Imola, California.

Dear Sir:

Since writing my last letter to you under date of July 23, 1934, in answer to your letter of July 20, 1934, I have made another application for my discharge and it has been denied, as usual; I am enclosing a copy of a letter to my ward doctor that accompanied this application.

I am writing you again with the request for some assistance from you in securing the services of an attorney to take my case, with an order to pay the necessary costs, so we can get a court, decision, or in any other way that I can secure my release.

I have made every effort to induce the authorities here to release me. They will release me upon the application of my son; they denied my leave upon the request of Mr. J. J. Kelly of Alameda, who had over 40 years of service in the Customs Service at San Francisco before he retired. If I could have a good lawyer, handle my case, I am sure it could be settled without delay, but have been unable to use my own funds for this.

I was granted a leave of absence in December, 1932, upon the application of my son, Ray, but it was blocked by my son, William; I have lost nearly two years of time by this action. I would be released at any time upon the application of my son, but he refuses to do this.

Evidently for some personal reason, my son has blocked every effort that has been made to obtain my release. He has never given me any information as to the management of my affairs since I was sent here, and is evidently trying to prevent me

from learning anything about them; I have never seen any accounting or inventory he may have filed. I do know that he has closed at a total loss a restaurant business I had in San Francisco that was appraised at a value of \$12,000. He is trying his best to keep me here as long as possible. He knows he has treated me shamefully and is delaying a check-up as long as he can; in the meantime, I am kept here, helpless. All I want is a proper accounting

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of the things turned over to him, and I cannot get that while I am here. In addition to my loss of salary every month I am here, I am losing heavily on my rentable property in Oakland, which consists of apartments and flats; they are not being handled as they should be. I have written about this briefly in the letter to my ward doctor, which I am enclosing. It is reasonable to say that I am losing nearly \$300 per month; maybe more.

My experience here has been the most unfair and unjust procedure imaginable. After more than half a life-time of hard work and honest effort, that such an experience is possible is a serious matter. Everybody connected with my case knows that I am not insane. That I should have been deprived of my liberty for this long period of time, subjected to a daily routine designed for the insane, and forced to submit to regulations, restrictions and methods that are an insult to a normal man, certainly makes those responsible, liable for their actions. I believe my son's actions to prevent my release are mainly to prevent a show-down.

Commitment to this institution necessarily carries certain penalties, and the very nature of the cases here require the utmost fairness in the handling of patients and the protection of their interests; I have not received that fairness or protection here, nor from my son.

I can mention many outstanding facts in my case:

My commitment to this institution was obtained by fraud and misrepresentations. Many of the charges that I am told my commitment papers contain are lies; I have never seen these commitment papers. The main charge made against me was a contemptible frame-up and a "rotten" lie. It was used to obtain my commitment because the other charges were of no importance. With a lifetime record of clean living and the fact that my wife is not well and does not want to fight with her own, it is very serious.

I have been kept here nearly three years — I was arrested on an insanity charge October 5, 1931, while I was at work in my office.

I have never been insane in my life.

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I have lost thousands of dollars by being kept here, and the amount is considerably more than \$20,000, as I advised the Superintendent here in my letter to him dated February 19, 1934.

I am losing money steadily, while I am being kept here.

I have a serious condition in my teeth and gums, which has been serious ever since I was sent here; nothing has been done about this.

I have a first-class record of 40 years of continuous service in Oakland and San Francisco. I have much important work still to do and I am prevented from taking care of it by being kept here. I am not only losing heavily in a financial way, but my health is being impaired by the condition of my teeth and gums, by my daily routine and the enforced manner of living here.

I am 64 years old; I cannot take the simple exercises I have been taking for years, that I attribute much of my good health to, and I have never been sick until this experience here; and I haven't been sick here a day, except the malaria treatment I was given when I first came here.

I have been working here steadily and continuously, Sundays included, at the dairy, since December, 1931. I have been taking treatments during all this time. Treatments consist of an injection of medicine in the arm once a week, takes about ten minutes time by a doctor or interne, and are given to us for seven consecutive weeks; then we are put on a rest period for seven weeks, with no treatments of any kind. When I first came here I was impressed with the importance of these treatments, as explained by the doctors. When I learned that many patients were leaving here and taking their treatments at home, and that there are literally hundreds of patients taking these treatments outside where there is one taking them at these institutions, I made application for leave, which was granted — this leave was blocked by my son William. I am told that I am nearly through with these treatments.

I still believe my long detention here is unlawful — it certainly is not the intent of the law and it is a flagrant violation of individual human rights.

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I am held here on a technicality. I am under a simple treatment for a blood infection; it is not the rule to discharge a patient under treatment, although they frequently do, and of course they would in my case if I had the support of my son. If my son would sign my leave of absence blank they would release me at once and I could take the rest of my treatments at home. Because of his refusal I have been kept here nearly two years from the date my leave was granted.

I have received two letters from my son since coming here; he has not been here for five months — since April 29. He will not answer my letters — I have written him five letters since May and have heard nothing from him. After my letter to Dr. Charlesworth, my ward doctor, of September 6, 1934, the doctor told me to write him about taking me home; I did this and nothing was heard from him. I have had to borrow money to purchase medicine for my teeth, and I have been living a most miserable existence. It has been the most cold-blooded treatment and experience one could go through. When you are kept here for three years for no good reason at all, it is something the authorities should correct, and I am sure it is not generally known. The

fact that they can keep an entirely sane person for as long as I have been kept here, is not right — and I am told a court would undoubtedly order my release.

Could you ask my son to explain my case to you?

Could you appoint someone to investigate my case and report to you?

Could I turn my case over to an attorney and ask him to see you about an order for the necessary fees?

Can you suggest anything that I can do in an effort to obtain my release?

Can you have my statements confirmed and ask for a report on my case from the Superintendent here? I cannot think there is not some way of inducing them here to release me; a letter from you would surely help. Some friends have written to the Superintendent in my behalf, but the reply is that I am taking treatments.

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I do not like to write of my son in this way; I don't know how I can handle it otherwise. I have never had any quarrels with him and have worked for his interests all of his life; I cannot understand his attitude. He was led into this by Mr. Hamilton, as I have written in my letter to the Superintendent.

From a medical standpoint, or what they call "hospitalization," or from any other standpoint, my routine here is exactly what it should not be. I can secure whatever treatments I need at home, or return here for them weekly. My teeth and gums are in urgent need of immediate attention. Property that I have acquired by a lifetime of hard work needs my immediate attention, and the good health that I have had for a lifetime is being daily aggravated and endangered by my confinement here.

I will gladly pay any expenses or costs there may be, and would be glad to have an attorney assigned to my case if that would be the better way.

Sincerely yours,
Luther Osborne.

P. S. — In reading over this letter, I am wondering whether I have indicated in these four pages I have written, any of the "depth of feeling" I have about the condition here, not only as to my experience, but also for others more unfortunate, of whose experiences I have learned with amazement — and horror. I have lived in California 40 years; I never deemed it possible that certain conditions could exist in the state. I don't believe I would have believed it, had I been told. I can realize the desperate need for reform in some of our official and other activities, which I can never forget. I shall certainly devote some of my time to the effort to correct some of them.

L. O.

After several months in this locked ward with the loss of all privileges, I made another application on November 5, 1934, and continued the same deadly routine until December, 1934, when my wife made her last trip up to see me. She was taken very sick shortly after that and was never able to see me again before her death in July 1936. If that wasn't cold-blooded torture of two helpless people; I don't know what would be called.

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Imola, Calif., Nov. 5, 1934.

T. H. Stice, M.D.,
Medical Superintendent,
Napa State Hospital,
Imola, California.

Dear Dr. Stice:

I respectfully request that I be discharged or granted a leave of absence.

I am very anxious to have some urgent dental work started as soon as I can reach home.

I am doing splendidly at present and feel as good as I ever have in my life, excepting, of course, the trouble with my teeth. I have not been sick a day since coming here in October, 1931, other than my experience with the malaria treatment at the Infirmary during November, 1931, and have worked daily and continuously at the dairy here since December, 1931. I have been in daily personal contact with your dairyman during these three years, and with other employees at the dairy and the wards. There has not been a single instance of misconduct of any kind during my time here, and my work has always been performed in an efficient and normal manner.

I respectfully submit this statement of my record and experience here in the hope that it will entitle me to a discharge. I will have the best medical care in the bay region when I return home, in any way I may need it, and will immediately have the necessary dental work attended to.

If for any reason you are unable to give me a discharge, a leave of absence would enable me to have my teeth attended to. My son, William R. Osborne, was here Sunday, October 7, 1934, and said he would attend to all necessary details immediately upon hearing from you.

I will greatly appreciate your favorable decision on this request.

Thanking you for your consideration, I am

Respectfully yours,

Luther Osborne.

Imola, Calif., Nov. 20, 1934.

W.R. Osborne,
San Francisco, California.

from: Luther Osborne,
Napa State Hospital,
Imola, California.

Dear Bill:

I am feeling so miserable with my teeth that I can't be comfortable, or even easy, day or night. I have had a swollen cheek for a week and my gums and mouth are in a terrible condition. I went to the dentist here on October 22, and had x-rays taken; he gave me some treatment which helped them temporarily, but they are worse than ever — always sore and a steady, dull ache. I am practically living on milk and this never did agree with me in any quantity.

Won't you please do something about taking me home?

You can get me at any time and I won't be able to keep up my work long, the way I am now, and the only relief I can get is walking up and down the roads around the dairy. I can't get anything out of the doctor, other than that he tells me to see you about it. I'm in a devil of a position, Bill, and I can't do a thing to help myself. I go to meals and can't eat a thing and I can't sleep at night. I feel so sick with this continuing dull pain that I will be downright sick if it continues, and that's what I am trying to avoid.

With love to all,
Luther Osborne.

Imola, Calif., Nov. 27, 1934.

William R. Osborne,
San Francisco, California.

Dear Bill:

Was more than disappointed that you didn't come up, Bill, and you wouldn't even drop me a note — I think I have received two letters from you during the more than three years I have been here.

I am feeling so absolutely miserable that I am not trying to write much, but I want to add my further protest, to those already sent you, as to your handling of my affairs and the unjust, unfair and unlawful treatment I am receiving from both you and the doctor.

My teeth should have been attended to three years ago;

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I had plans to have them all extracted during November and December, 1931. For no good reason at all I have been kept here three years and prevented from taking care of my own good health during all this time. In addition to this I have lost over \$200 a month every month I have been here, besides the loss of a going restaurant business in San Francisco that was profitable and which would have increased in value if I had not been prevented from taking care of it.

I have written to you so often, and talked it over with you so completely, that I don't suppose it will do any good to write you again, but it will be another effort to get your assistance to stop and correct an injustice of the worst kind.

I am over 60 years of age and I haven't any years left to waste — and I've wasted all the years I've spent here. I suppose I was "legally" declared incompetent — there was, of course, nothing that could deprive me of my constitutional rights, or my individual human rights, may be a better term. In fact, because of what was done there has been a flagrant violation of my individual human rights.

Everybody connected with my case knows there is no insanity involved — and they knew it years ago. The authorities here have no "right" to keep me here — they probably have the "legal authority" to do so when you make no protest and allow it. I have made my demand for a discharge and was locked up as a result, as they have the power to do just that. As a consequence I am unable to do even the simple things that have always helped to keep me in good health (such as walking), and forced to exist from day to day in an absolutely uncomfortable, repulsive, disagreeable and humiliating condition.

My rights have never been considered; it has come to the point where I can't even keep well under the conditions under which I am forced to live — and I've been forced to this after a lifetime of good health, a lifetime of good, clean, healthful, decent living and habits, when this mess was forced on me. Of course, I would not have to submit to this if I could get my case to court, and, of course, if you handled it right, it would be stopped.

You tell me that you will take care of everything as soon as the doctor notifies you I can go. The doctor tells me I

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can go as soon as you make application for my release. Neither of you will start, and I am held on this miserable technicality, regardless of what it means to me from a standpoint of health or money.

If you had the least conception of what my existence is here, maybe you would look at it somewhat as I do — I don't see much difference between what I have gone through and a three-year State Prison sentence; and I never committed a crime in my life, and what are told me as charges showing in my commitment papers, as unimportant as they are, are lies and misrepresentations.

I am trying to work with you and cooperate in every way — I've been trying to do that constantly. I have been told by a lawyer that I have a case against the authorities here for my long detention, and he says it is your place to work with me; that I've been here long enough for them to know all about my case and that it is your right and your duty to have me released, protect my interests and recover the losses caused me, if possible.

My teeth are giving me particular hell right now and every day, and I have to have something done about them — and I won't have them fixed here. There is no reason why I can't have them fixed at home — and there is every good reason why I should have them fixed at home — I can take care of myself at home, and I can't take care of myself here, while having them fixed.

There will be a big improvement for everything and everybody — for you as well as for everybody concerned — by getting me out of this terrible place.

Luther Osborne.

Imola, Calif., Nov. 27, 1934.

To the
Judge of the Probate Court,
Oakland, California:

from: Luther Osborne,
Napa State Hospital,
Imola, California.

Dear Sir:

Will you kindly bear with me for these many letters? I do not know where else to turn, and I do know that my case is not being handled as it should be. The result of a continuance of this routine would absolutely mean a man's ruin — and that is happening in some cases.

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I am enclosing copies of a few letters which will show my last efforts to obtain my discharge. I am nearly sick with my teeth, which leave me exhausted one week, and a big improvement the next week, when the pain can be reached by medication. I have been trying to have it attended to for the last three years.

Could you ask my son for an explanation of my case, and why I am kept here?

His management has certainly been a failure. I know nothing about the accounts because I have been shown nothing. His handling of my case from a standpoint of my health, has been unbelievable, and I cannot yet understand how the authorities here allow it, although it is all handled by one doctor.

I have been talking with an attorney here recently about my case and maybe I can get him to take it up if necessary. It would be so easy for my son to settle the whole thing by a simple request for my release, but so far he has refused to do this. I have said nothing to this man about my finances, other than that they were tied up.

Will you please suggest some way that I can get this case of mine taken up by the court, by the authorities here, or by my son?

Thanking you for your consideration, I am

Respectfully yours,
Luther Osborne.

Imola, Calif., Dec. 6, 1934.

To the
Judge of the Probate Court,
Oakland, California:

from: Luther Osborne,
Napa State Hospital,
Imola, California.

Dear Sir:

Since my letter to you of November 27, 1934, I have learned several details connected with my experience here that I wanted to get in the record of my case, hence this letter.

I want to repeat that I am the victim of a flagrant violation of human rights. This is being continued every day that I am kept here and there is not a vestige of moral right in this procedure. How doctors, supposed to be

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competent enough to manage this institution, can justify my detention here for over three years, is a matter to be explained. And that is one of the reasons why I am kept here.

The Superintendent here does not, I am told, have much to do with the detail management. Dr. Charlesworth is the Assistant Superintendent and my ward doctor. He has blocked every effort I have made for my release. When Mr. J. J. Kelly made application for my leave he was told by Dr. Maddux that I was entitled to this; upon Dr. Charlesworth's return it was denied me. When a conference is given a patient before the medical board, consisting of the doctors here, the recommendation of the ward doctor determines the action taken. Dr. Charlesworth knows that I have been

treated unfairly and unjustly, with no good reason for it at all. He knows it is my intention to ask for an explanation of the handling of my case and my interests, and he is trying to prevent my release for this reason. This also applies to the handling of my case by my son, and these two are working together, successfully, to keep me here.

I don't believe that I can express my disappointment and contempt for a condition that I would not have believed could exist here. I have not had one single instance of deportment or action to warrant the treatment I have received, and from a medical standpoint it is a violation of standard and accepted medical facts.

Another important fact is that several statements about my case have been untrue. If you have made any inquiries as to some of the matters I have written about, it would seem to me that information from some sources would have to be checked. At the time Mr. Kelly was trying to have me released, the falsehoods were repeated.

I am the average normal man. I have a good record for 40 years in Oakland and San Francisco. I have many important interests that are not being taken care of. I am prevented from taking care of my own good health, my teeth neglected for over three years.

This all seems ridiculous — but it is tragic. If I could use my own funds I could correct it at once. My son or

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Dr. Charlesworth here could correct it at once, without expense. I cannot make any headway alone, and I will be prevented from even living the usual life here if I keep up my demands for attention, as I have a perfect right to do, but which is not recognized here.

Can you suggest anything that I can do?

Sincerely yours,
Luther Osborne.

Imola, Calif., Dec. 13, 1934.

I. E. Charlesworth, M.D.,
Asst. Medical Superintendent,
Napa State Hospital,
Imola, California.

Dear Dr. Charlesworth:

My wife was here yesterday to see you, but as you were away, she missed you. She wrote a note to Dr. Stice and left it in the supervisor's office with Mr. Bickel. She wants to come up next Monday, December 17, 1934, to see you about taking me home,

and has asked to be advised if you would be here on that date. My son could not come with her, but he sent her with his wife.

My wife has been very ill, but at present she is better; she is living at home alone, except for the help she gets from neighbors, and needs me particularly to help.

I respectfully add my request for this leave, which is the most necessary and desirable arrangement for us all; my wife plans to be here Monday morning, December 17.

Respectfully yours,
Luther Osborne.

Imola, Calif., Dec. 17, 1934.

William R. Osborne,
San Francisco, California.

Dear Bill:

Mamma and Kay just left after a perfectly useless trip here, that resulted in the same explanation — that I am being held here for treatments. This explanation means nothing at all. I can come back here for these treatments

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each week, as many have done, or get them at home, as thousands are doing. I haven't had a treatment since November 8th and could have had my teeth fixed during the last month.

What I can't understand is the cold-blooded attitude in this case of mine. When Mamma finished with the doctor, she was practically all in. He is handling my case the worst possible way it could be handled. I am told by attorneys he is handling it unlawfully.

He told Mamma she could not sign for my leave — the wives of most of the patients granted leave here, sign for them. He also told her I would have to have my teeth fixed in Napa or not at all — get that! If he can carry that out I am sure it will be "not at all"; but I don't believe it is possible for anyone to continue these flagrant violations of human rights in the state of California. They can get away with it for a time, as in my case, but that will not last forever.

I am sorry Mamma had to stand for what amounted to an insult; his explanations meant nothing and the whole procedure is an insulting, arbitrary and unlawful handling of my case — and it could be stopped at once by you. Mamma's health has been materially damaged by the miserable handling of my case; it should not be allowed and you could stop it at once.

I have only a few minutes to catch the mail and I wanted to get this off to you tonight. I am making another appeal to you to get my release. It will take nothing but a demand from you. A demand from me means that I will be locked up, as before. They have no right to hold me here, but they have the might, and they will do just that until you stop it — and you could stop it any day.

I am so disgusted that this matter is dragging out this way, for no good reason at all. For heaven's sake, Bill, use your own mind on this. Mamma is feeling worse every day and went home today all broken up. She says she wants me home; she says she has the neighbors only, for days at a time. You need only write for my leave of absence and come up and get me.

Love to all,
L. O.

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Imola, Calif., Dec. 18, 1934.

William R. Osborne,
San Francisco, California.

Dear Bill:

From what Mamma and Kay both told me of their talk with the doctor, it was the most unreasonable, conceited and overbearing talk and manner imaginable, and in some ways insulting — one would think this was Russia, and it wouldn't last a minute in court. And it isn't necessary to take it to court because you can correct the whole thing at once, Bill, without expense or much effort.

They have held me here over three years; the explanations are ridiculous. They have locked me up in a ward which consists of a long corridor with chairs and benches, and forced me to spend all day doing nothing for two weeks — because I wrote a perfectly respectful letter asking for my release. They would probably have kept me there much longer if I hadn't been of use to them in my work.

They know I am not sick, that there is nothing serious at all the matter with me, that I could do much better home than here, and that the treatments they talk so much about could be given to me at home as well as here — in fact, much better in every way for me. I don't believe I could have been handled much worse as a patient in a hospital. I am willing, of course, to undergo any test; they stopped my treatments November 8, 1934, and could have taken my tests any time after that — and it is now six weeks ago, and the tests take one day.

It's the most unjust, unlawful and contemptible treatment they could inflict on anyone.

In December, 1932, they granted my leave. This was balled up and I was unable to go, but I want to forget that and everything else that's passed. I want to ask you to get my release at once. You can do it in two or three days. I am enclosing, a copy of a letter that will make my point clear; it can be written any way you want it. Without any further explanation you can come for me and take me home, where I belong and should be — for your good as well as for Mamma and myself.

With love to all,
Luther Osborne.

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Imola, Calif., Dec. 19, 1934.

William R. Osborne,
San Francisco, California.

Dear Bill:

On December 17th and December 18th I wrote you a letter, and here is one for December 19th. The more I think this whole thing over the more impossible it seems, and the serious part of it lies in the fact that it could happen to anyone.

During 35 years of continuous service in the Customs Service at San Francisco, during which time I received many promotions because it was high-class service, I was associated in outside business with the chief customs officer. I was handed this beautiful mess because I wouldn't continue to submit to making payments to him after he had forfeited all claims to further payments by falling down on the job.

The charges against me were frauds. They headed one of them illegal "*withdrawal*" of public funds, while the charge itself was illegal "*deposit*" of public funds — a vast difference, and a charge that amounted only to a difference of opinion as to which bank to deposit funds in — it could not rightly be called a charge. There is not one charge in all this mess that I am guilty of and I have been kept a prisoner for over three years, like any criminal.

The judge that made my commitment stated that he would not send me here because of the charges made; he evidently saw the fraud in them. He stated he was sending me here because of my blood test, and that he would send me here for treatments.

While I have been getting treatments, they have not been carrying out the intent of the law governing my case, and they have not carried out the purpose outlined by the judge, in keeping me here. It has been an unlawful procedure and has not carried out the court decision at all.

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When I was sent here in October, 1931, I was given the malaria treatment at the infirmary, and in December, 1931, was sent to the dairy, where I have been working continuously ever since — over three years. During all this time I have been taking treatments. When I saw the doctor in December, 1931, he told me it would take about two years for these treatments, and in some cases he said it takes even three years. He told me then that I could probably take them at home and in December, 1932, granted my leave.

Since then it has been going from bad to worse and every effort I have made to get my release has been blocked. I haven't talked to the doctor during the last two years about anything concerning my health. I saw him once last May when I was transferred, with the consequent loss of liberties that helped to make existence here livable, and once when I was locked up for the two weeks. I never see him about anything concerning my health and he knows nothing about my health, except the record of my treatments, which show merely that I have taken them each week for seven weeks and then a rest period of seven weeks — and he may have seen the x-rays of my teeth if he would understand them — which I don't think he does.

My whole time here has been a particularly uncomfortable, depressing and “wracking” existence. A doctor who would treat a patient as I have been treated, should never have the authority to do so, and if he deliberately tried to make a patient worse, this is one way to do it. If I hadn't been in good shape when I came here, I would have been sick long ago.

My whole experience here has been a colossal blunder and the doctor has made it worse instead of better — he is employed here to make things better and he is supposed to give patients some protection. I have received no protection whatever for my financial interests and have been denied all opportunity to protect them myself; my general health has been endangered and threatened.

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The doctor told Mamma I didn't have good judgment because I wouldn't go to Napa for dental work — he doesn't say anything about his rotten judgment in handling my case for the last two years or more. According to the things you tell me he has told you, he never should hold the position he has; and he knows he has made several serious blunders in my case that he knows that I am entitled to an accounting for, and he will stop my leave as long as he can. I had a perfect case for my leave with Mr. Kelly's help and every condition was complied with; but he was on the job and blocked that, after Mr. Kelly was told by the other doctor that I was entitled to my leave. He told Mamma about the medical board acting on my case, when the ward doctor's recommendation settles the matter, or the Superintendent can act in any way he decides on.

The handling of my case has been particularly bad — and there are others. The very nature of these cases and the simple public charge of “insanity” handicaps the victim plenty. The authorities in these institutions are employed to give understanding

protection to the patients, and in my case it has been indifference and inattention at first, and later, flagrant violations of human rights.

I am not insane and never have been insane.

The doctor knows that and has known it for years.

And, of course, this can all be proved, and I will gladly consent to any test. And I am entitled to an accounting from those responsible for my distressing detention after they had ample time for observation and a complete understanding of my case — and I have been advised and informed very completely, I think.

Now, Bill, I don't know what you have done about all this, but I do know that you can take me out of here at once, and that it is your first duty to do just this. You will not have to pay any attention to the doctor — and mighty little consideration he is entitled to, if any. His advice, his judgment, his competence, is questionable, and his position and authority is political — not merit. I can

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obtain all the medical attention I need, and a great deal better and more efficient than I can get here.

In addition to this, Bill, I demand that you take steps to have me released at once, as a matter of record and as the right of a sane, competent citizen. I still have the same rights as you have or any other citizen, even if it is necessary to have certain legal matters adjusted through the courts.

So, Bill, will you please do something at once? I am surprised that my teeth are not bothering me worse — they have been better since Mamma came up, but they will start again any day. My teeth are in terrible condition — every day is important. My whole system is being poisoned from them and the absence of the steady pain happens now and then, but it always returns worse.

I will not have them fixed here and I will attend to them at once as soon as I am given my release.

I want to add one more paragraph:

I think it's a damn shame that Mamma has suffered as she has — and is. This experience has been worse for her than for me, and it will get even worse if you don't correct it at once.

She shows plainly the strain she is under, and that alone ought to hurry your action.

I should be with her right now, looking after, helping her, and taking care of her — and I can do that better than anyone else.

What is the answer?

I don't feel as good as this letter might indicate — in fact, I don't feel at all good. I want to forget the past, as far as you are concerned, and I want to start right away on taking care of Mamma and myself.

With love to all,
Luther Osborne.

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CHAPTER V

With the passing of the year 1934, making over three years in that veritable hell-hole, the determination to secure my release became more intense.

Dr. Stice became very sick in 1935 and died in March, and another Superintendent was appointed March 25, 1935. During January and February, 1935, I wrote to many state officials, made up the statement of January 22, 1935, which was sent to the Governor of the state, made two applications for my release in February, made an application for my discharge on March 12, and after the new Superintendent was appointed put in my application for release again on March 29, 1935.



Imola, Calif., Jan. 8, 1935.

William R. Osborne,
San Francisco California.

Dear Bill:

I am writing you this letter merely to advise you that I have made another demand (or request, whatever you prefer to call it) for my release. I have made my criticisms of Dr. Charlesworth more pronounced than before, and I will probably be locked up in one of the uncomfortable wards here, as they did before, unless they consider me too useful in my work to keep me in altogether.

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How you can explain your absolute indifference and inaction in all these matters I can't imagine, although, of course, I know. They are making a first-class fool of you from this end, and what good it can possibly do anybody is hard to understand. From my experience here one would suppose there was not any such thing as "human rights," but if any of those handling my case should be treated as I have been treated, you would hear someone yelling "murder."

Taking a man over 60 away from his home and family, keep him in the depressing environment I have been kept in for over three years, and explain it by saying it is necessary on account of the treatments I am getting, which take about 10 minutes once a week, is about the limit of stupidity and blundering.

If I am locked up again in one of those uncomfortable wards, I may not even be able to write, so I am going to mail this while I have a chance.

Have heard nothing from you in reply to my last three letters — or for that matter, to many other letters. Have heard from Mamma that she thought about going to Los Angeles, but haven't heard any further; you might let me know where she is, or her address, and I will write to her if I can.

Love to all,
Luther Osborne.

Imola, Calif., Jan. 8, 1935.

To the Governor of the
State of California,
Sacramento, California.

from: Luther Osborne,
Napa State Hospital
Imola, California.

Dear Sir:

This letter is from Luther Osborne.

At present I am a patient at the Napa State Hospital at Imola, California.

I respectfully request that I be released from this institution.

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I am not insane and never have been insane; the doctor who is handling my case here knows this.

I have worked here faithfully, conscientiously and continuously, with everyone with whom I have come in contact, since December, 1931.

I have made many requests for my release during the last two years or more, when I learned I could take my treatments at home as well as here. The treatments are for a blood infection which is a purely physical trouble. I have not been sick a day since coming here.

I was granted a leave of absence in December, 1932, but was not allowed to take it. Since that time my ward doctor, Dr. I. E. Charlesworth, has blocked every effort I have made for my release.

I have suffered a loss of thousands of dollars by being kept here the last two years, and I believe my detention for that time has been unlawful.

I respectfully ask for my discharge. I am not familiar with the necessary or desirable method of making this request and I have been unable to use my own money for the services of an attorney. I have been advised to present the facts of my case to you and I am trying to do this as best I can with my limited means.

Thanking you for your consideration, I am

Respectfully yours,
Luther Osborne.

Imola, Calif., Jan. 15, 1935.

Director of Institutions,
State of California,
Sacramento, California.

from: Luther Osborne,
Napa State Hospital
Imola, California.

Dear Sir:

Acknowledgment of the receipt of your letter of January 10, 1935, with inclosures is made with thanks.

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In this letter I respectfully request that you merely ask for a report of my case from the Medical Superintendent here.

I have made more or less serious complaints against Dr. Charlesworth, the Assistant Medical Superintendent here. I do not believe he is handling my case in a lawful way; he is certainly not carrying out the intent of the law.

I am advised that the law does not contemplate or authorize anyone to keep a sane person in this institution longer than a necessary period for observation and tests. I have been here many months after the authorities here knew there was no insanity in my case, and that there was nothing that should have prevented my release.

I do not believe Dr. Stice, the Superintendent, is familiar with my case. I do not know that he has ever seen the letters I have written him; I delivered these letters to Dr. Charlesworth and Dr. Johnson. I had two talks with Dr. Johnson during the time he was my ward doctor, and each time he told me he would have to see Dr. Charlesworth. At the conferences given the patients before the medical staff, the ward doctor's recommendation is carried out — and in this way the decision regarding a patient rests in the hands of one person.

In my case, my son tells me Dr. Charlesworth has advised him to make no efforts for my release. He, also told me that he has advised Dr. Charlesworth that he will come for me immediately as soon as he is notified I can take my leave; I have also notified Dr. Charlesworth to this effect in my letters to him.

My experience here has cost me so much, it seems unbelievable. By blocking my leave of absence, granted me in December, 1932, after I had been here over a year, I lost a restaurant business in San Francisco that was appraised at \$12,000. I have lost \$200 monthly in salary and an unknown amount on my rental property in Oakland; I have suffered an actual loss of over \$20,000, and it is continuing. This has all been unnecessary and unreasonable — and I am advised that it has been unlawful. I could

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have prevented this by taking my case to court, but was prevented from using my own funds for this purpose.

My health has been unnecessarily endangered; at the time my leave was granted in December, 1932, I was to have had all my teeth attended to at once and that was over two years ago and nothing has been done about it since. The depressing environment and other disadvantages of the enforced routine here is enough to influence one's health, and it has been a flagrant violation of human rights.

I am enclosing copies of two letters that I wrote in July, 1934, that I found in my files with a note to my son — these merely for showing the reason for a transfer and the consequent most uncomfortable and unpleasant two weeks.

I do not want you to act on my case, if I properly describe it that way. I would like to have you ask for a report on my case from the Superintendent here, and this would, I believe, cause it to be taken up and disposed of in the usual way. In the meantime it is buried here, and I cannot get any action taken without help; and I cannot ask for attention without being penalized for it.

I have presented many reasons for my release so completely in my many letters to Dr. Stice that I cannot understand why I am being kept here. I am inclined to think nobody reads them but Dr. Charlesworth.

I am kept here for a treatment that takes 10 minutes on one day a week — and there are a thousand cases that take their treatments at their homes where there is one here.

Thanking you for your consideration, I am

Yours respectfully,
Luther Osborne.

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Imola, Calif., Jan. 22, 1935.

To the Governor of the
State of California,
Sacramento, California.

from: Luther Osborne,
Napa State Hospital
Imola, California.

Dear Sir:

In reply to your letter of January 15, 1935, by Mr. Walter F. Dexter, Executive Secretary, I am enclosing a statement of some of the facts pertaining to my case and respectfully request your further help for the following reasons:

I have received a letter from the Department of Institutions dated January 17, 1935, which stated that they had a complete file of my case in their office. It may be a complete file as to the necessary papers included, but it cannot be a complete file as representing my interests in the case. Some of the charges in the complaint or commitment papers in my case are absolutely false, and it is because of this I am asking: for investigation and relief.

This letter also advises me that the matter is in the hands of the Medical Superintendent here. I am advised that the Medical Superintendent is holding me here unlawfully and when I make application for my release in a perfectly respectful way, I am penalized for doing it; possibly because my case is in the hands of the Assistant Medical Superintendent here.

I respectfully request your help in some way to obtain my release from this hospital; I should not have been sent here and I should not have been kept here after December, 1932, when a leave of absence was granted me and my ward doctor knew I was a perfectly sane, normal man. My ward doctor is Dr. I. E. Charlesworth, the Assistant Medical Superintendent here, and, according to the report of my son, he has been responsible for what I am advised is my unlawful detention here since December, 1932 — two years.

I have never been insane in my life — and Dr. Charlesworth knows this, and cannot make a reasonable explanation

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for keeping me here the last two years. I am advised by a Superior Judge that the Medical Superintendent of the Napa State Hospital is enjoined by the law to discharge you.”

It is very important to me and to my wife, and it is for the protection of the health of us both, and the security of property interests that I have worked 40 years to acquire, that I be allowed to leave this institution to attend to my own and my wife’s interests and affairs in the legal manner provided in these cases.

I respectfully request that I be released from this hospital by a discharge or leave of absence by the Medical Superintendent here; my son or his attorney will attend to necessary details that may be required in the guardian-ship matters. We will, of course, comply with all things necessary for my release, and I will come back weekly for treatments, if necessary, from my home in Oakland.

I regret that I have to write in this way. I have endured flagrant violations of individual human rights by Dr. Charlesworth for the past two years. My treatment here and the handling of my case has absolutely wrecked valuable interests that I could have saved had my rights been considered and the continuation of the present routine would ruin my health.

Financially, I am losing more than \$200 every month I am kept here. I have suffered a cash loss of considerably more than \$20,000 since coming here; I have mailed the Director of Institutions copies of letters that explain these losses in more detail, and the four-page “statement” enclosed will cover other matters in connection with my case that should be seriously considered.

I am very sure that if you had a clear understanding of my case, you would not permit a continuation of it; I am not sure that I have made it as clear as it could be made. I have been unable to use my own funds for the services of an attorney and I am writing as clearly and completely as I can under the conditions here.

Thanking you for your consideration, I am

Respectfully yours
Luther Osborne.

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Napa State Hospital, Imola Calif.
January 22, 1935.

Statement from Luther Osborne, a patient. Mailed to the
Governor with my letter of January 22, 1935.

On Monday morning, October 5, 1931, about 10:30 a. m., when I was at work in my office in the U. S. Custom House, corner of Washington and Battery streets, San Francisco, I was arrested on a charge of insanity.

At that time I was the U. S. Cashier of Customs for the Port of San Francisco; I had been employed steadily and continuously in the U. S. Customs Service at San Francisco for 36 years — appointed in 1895.

I was taken to the San Francisco Hospital, put to bed and my blood test taken. My trial was held at my bedside and the judge stated that he would not hold me or send me to the State Hospital on the insanity charge. He stated that my blood test showed a blood infection, that he knew nothing about the truth of the charges in the complaint that brought about my arrest, and that he would send me to the hospital for treatments for my blood infection; I was committed to the Napa State Hospital.

After over three years of the most surprising experiences, where I have witnessed the most inefficient management of patients' interests imaginable, I know conditions in this hospital could be improved a thousand ways, and I believe certain practices that are allowed, employed or exist, are a disgrace to an enlightened community.

My commitment to this hospital was obtained by fraud and misrepresentations.

Some of the charges against me in the complaint were wholly false; others were misrepresented — they brought about my commitment. I would have been sent to the U. S. Marine Hospital in San Francisco for treatments, or to my own doctor, if these charges had not been made.

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I have never been insane in my life and those involved in my case knew that I was not insane at the time of my commitment.

I had been given the malaria treatment or germ injection in San Francisco. When I arrived at this hospital I was sent to the infirmary here for the malaria treatment, which took about six weeks. The first part of December, 1931, after I was through with the malaria treatment, I was sent to Ward J, and at that time made application for my leave of absence to have some important dental work done; this was refused. About the

middle of December, 1931, I was transferred to one of the cottages and sent to work at the dairy here, where I have worked daily, steadily and continuously ever since.

The only days I have not worked at the dairy since December, 1931, was from July 24, 1934, to August 10, 1934 — 17 days; this was when I was transferred to a ward in the main building for writing a request for my leave.

When I left the infirmary in December, 1931, Dr. I. E. Charlesworth, the Assistant Medical Superintendent here, was given charge of my case and has been in charge of it ever since. All of my affairs have been in his hands. I was started on treatments for my blood infection, which I have continued steadily ever since — an injection of medicine in the arm once a week for seven consecutive weeks, followed by a period of seven weeks, with no treatments of any kind. Treatment does not require more than ten minutes' time, does not interfere with your daily work in any way — there are thousands taking their treatments at home where there is one here.

I was much impressed with the importance of these treatments and continued them until I had taken two courses, which took 21 weeks, when I again made application for leave of absence to have my teeth attended to — some time in May, 1932; this was refused. I had learned that many patients were given leave after a stay here of six to eight months, and I was losing \$200 monthly in salary alone. I continued my efforts and my leave of absence was granted in December, 1932, upon the application

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of my son. When I was all packed and ready to go, I was informed that my son refused to sign my leave of absence blank, and I was not allowed to go. Upon referring this to my son, he told me that they had imposed conditions he could not comply with. Later he told me that Dr. Charlesworth had advised him not to sign for me, and for this reason he refused.

I then wrote to Mr. J. J. Kelly, of Alameda, who had worked with me in the Customs Service for 35 years. He came up to see the doctor three times, complied with every condition and requirement they imposed, sent in every letter and statement they suggested, and he was informed my leave was not granted because my folks did not know him very well. This carried my case along until September, 1933, when Mr. Kelly employed an attorney to take my case to court, and in November, 1933, I was served with a notice here that my case would come up November 20, 1933, when Mr. Kelly was taken sick and died a few months afterward. I was unable to continue the case because I was not allowed to use my own funds for this purpose.

During all of 1934 I continued to present the facts of my case to the authorities here by letter and statement, with repeated requests for leave. My son informed me he would not help me because Dr. Charlesworth had advised him not to. My wife came up three times to see Dr. Charlesworth, and he told her she could not sign for me. He also told her that I would have to have my teeth fixed in Napa, or not at all; and that he knew how anxious they all were to have me home, but that I needed more treatments, saying nothing about the fact that some patients come here from their homes each

week for treatments. That was on December 17, 1934, and when she left him she was in tears.

I have worked hard all my life; have raised a family and have been a first-class citizen. I have an official record in the Federal Service since 1895 that I am proud of — and have been a steady taxpayer since that year. I have accumulated a modest fortune by hard work and careful management,

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and am not allowed to protect my property interests and my own health because I am kept here. My property interests consist of rentable flats, apartments and houses in Oakland and Long Beach. My salary is stopped and I am only getting a sick leave allowance. My boys could not look after a profitable restaurant business I had in San Francisco and I suffered a total loss of that in May, 1933, because I was not allowed to take the leave of absence that was granted me in December, 1932; this business was appraised at \$12,000.

I am also steadily losing money on my rentable places because my son does not have the time or training to take care of them. My experience here has caused me an actual cash loss of over \$20,000, a large part of which would have been prevented if I had been given the reasonable consideration and protection that I am entitled to under the law, by my son and the authorities here; my son is in his thirties and says he has been guided by Dr. Charlesworth's advice.

When the average, ordinary, every-day individual, both men and women, perfectly normal and sane, can be locked up under the depressing and distressing environment and conditions that exist in these hospitals, and kept prisoners for years, under the weakest charges, sometimes fraudulent, without opportunity to appeal to a competent authority, it is a disgrace to the State and should not be tolerated. If this is true of five percent of the patients, or more or less, it is a matter of almost criminal indifference and incapacity and should not be allowed, and it could easily be changed. There should be an occasional and reasonable survey of the activities of the individual doctors employed, and information of the Superintendent's decisions and activities should be available to the properly accredited part of the public who may have the right to know the details of management, control and disposition of these cases.

If I could have obtained a court decision in my case I could have saved considerable, I am advised by an attorney. I am also advised that the handling of my case here has, in many respects, been absolutely unlawful. I am further advised that the law does not contemplate or

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authorize the detention of a sane person in this institution for a longer period than for reasonable observation and test.

I am writing at this length because I believe my treatment here has been unjust, unnecessary, arbitrary, discriminating, in some respects unlawful, and, part of it, a

positive menace to my good health. The presumption on the part of the doctor here seems to be that I was sent here to be punished severely for something. I have never been given a hearing on the charges in my commitment papers. My trial was a talk between the judge and the doctor as to my tests. I have never seen my commitment papers and of their contents know only what has been told me by my sons and friends.

My experience here has been almost unbelievable; I would have believed it impossible, before I was sent here. From the time Dr. Charlesworth took my case in December, 1931, it has been a steady program of blocking my leave of absence, which has been continued to the present time. I should not have been kept here more than six or eight months. I would have continued treatments under much better conditions than I could here. I have been working here every day and have never had anything to discuss with Dr. Charlesworth except my leave of absence.

Practically the entire year of 1933 was spent in efforts of Mr. Kelly and myself to obtain my leave to have necessary dental work performed. This was steadily blocked by Dr. Charlesworth and my son, and Mr. Kelly died at the end of the year.

During 1934 I made determined efforts to obtain my leave and wrote to the Superintendent on February 19, 1934; on March 23, 1934, and on May 10, 1934. On May 12, 1934, I was transferred to a locked ward, with the loss of privileges that helped to make life endurable here, because of these letters. I continued with my work as usual from the locked ward, under the particularly disagreeable conditions. This continued until July 23, 1934, when. I wrote another letter to the Superintendent and Dr. Charlesworth, requesting my leave in a perfectly

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respectful way. I was immediately transferred to a particularly disagreeable locked ward in the main building, kept in a long, corridor-like room doing nothing, herded out into a yard twice a day with many particularly disagreeable and objectionable inmates, and kept from my work at the dairy that I had been doing particularly well and efficiently for two and a half years. This was continued for about two weeks, when I was transferred back to the first locked ward on August 10, 1934, because they had no one available for my work at the dairy.

I have sent copies of my letters to the Superintendent here, dated February 19, 1934; July 23, 1934, and July 24, 1934, to the Director of Institutions at Sacramento.

I am trying to describe the miserable, and I believe unlawful, methods of Dr. Charlesworth in handling my case, and incidents pertaining to it. He has instructed me to do just as I have done in presenting matter about my case. He told me to address my letters to the Superintendent and give them to the ward doctor. In following these instructions, in trying to protect my health and home interests, I have been penalized for doing it; it has been altogether contemptible, unjust, in some respects unlawful, and to a sane person, it is absolutely insulting.

My rights have not been protected here and my interests have not been considered. While the treatments I have been getting for my blood infection have, no doubt, been

good for me, my general health has been endangered and at the present time is particularly threatened by the condition of my teeth and gums, which I have been prevented from taking care of for over three. years.

When I was arrested in October, 1931, I was taken from my office without hat or coat. My desk was covered with the day's work and I had no opportunity to straighten anything up. In the vault and on my desk in my office I had about \$2,000 in cash of my own funds. I had two bank accounts and all my private papers, including deeds, bills of sale, insurance policies, etc. These were all turned over to my son and I have never had a word of explanation from him as to what has been done with any of them.

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When I asked him for some information about them, and as to my outside interests in general, he told me that Dr. Charlesworth had told him he need not take these matters up with me here or give me any information about them. I am told that my son has posted a bond of some kind in connection with the guardianship matter, but have never learned any of the details. He has been collecting all rents from my Oakland and Long Beach rental properties, has been receiving my \$100.00 monthly sick leave allowance, and if he has filed any accounting I have never seen it and no one else would understand it — no one else could understand it.

Because of the directed and intended efforts of my son and Dr. Charlesworth, I have been kept here more than two years unlawfully, I am reliably advised. I have been deprived of my liberty and have suffered a loss of thousands of dollars. I have never been insane and they know it and have known it for years. Their management of my case has been illegal and unlawful in some respects, and a correction of it as far as the hospital authorities are concerned, should be made by the proper authorities.

I am over 60 years of age; if I were a younger man I might be able to stand it better. The condition of my teeth and gums make every day's delay important.

Respectfully submitted,
Luther Osborne.

Imola, Calif., February 9, 1935.

Dear Bill:

I have today written a request for my leave of absence which will be received by them February 11, 1935. I have told the doctor that you would arrange the necessary details upon hearing from him, and I am in hopes I can go home February 14, 1935.

I am enclosing a copy of this request and suggest that you write to them about my release, if you have not already done so. Am so anxious to have my teeth taken care of that I am suggesting this as one way that will only take a few minutes and will answer the purpose.

Love to all,
L. O.

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Imola, Calif., February 11, 1935.

T. H. Stice, M.D.,
Medical Superintendent,
Napa State Hospital,
Imola, California.

Dear Dr. Stice:

I respectfully request that I be given my discharge.

If for any reason this cannot be done, I respectfully request that I be granted a leave of absence for the purpose of having important dental work completed.

I will be given the seventh treatment of this current course of treatments on February 14, 1935, and if my leave can be granted I would like to go to my home on that date.

Will you please advise my son, William R. Osborne, in San Francisco, who will attend to the necessary details.

Thanking you for your consideration, I am

Respectfully yours,
Luther Osborne.

Imola, Calif., February 25, 1935.

To the
Governor of the,
State of California,
Sacramento, California.

from: Luther Osborne
Napa State Hospital,
Imola, California.

Dear Sir:

Referring to my letter to you of January 22, 1935, with which I sent a four-page "Statement" of my case, I gave this letter to a friend of mine from San Francisco who said he would mail it for me. I have not heard from it and I have sent a copy to the Director of Institutions.

I am enclosing with this letter a copy of a letter I have written to the Director of Institutions, dated February 25, 1935, and would like to draw your attention to it

particularly,

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as I believe my interests are being ignored, that no attention is being paid to the merits of my protests, and that my health is being seriously and needlessly endangered every day.

My last series of treatments were completed on February 14, 1935; if I am to receive more treatments, none will be given me for seven weeks. There is no reason on earth why I shouldn't have my teeth fixed during this rest period and nothing has been said or done about it — today is February 25th.

I am constantly suffering with toothache, cannot sleep half the time, and my whole system is being constantly poisoned by the diseased condition of my teeth and gums. It is personal and physical abuse of an aggravated type and would not be tolerated by anyone if it could be prevented. I am apparently helpless; I made my last application for leave on February 11th and Dr. Charlesworth knows the condition of my teeth and has x-rays of them.

I cannot understand the heartless and cold-blooded treatment I am receiving, which is daily becoming more serious; and it means no trouble or bother for anyone except myself and my son.

All I want is permission to go to my home where I can have everything properly taken care of, as I have explained in my request of February 11th.

Can you please order or request that such permission be granted me by the Medical Superintendent here?

I am told that the Medical Superintendent is sick, but Dr. Charlesworth can grant me that permission. Will you please accept my assurance that there is no reason whatever why this permission should not be granted me?

Thanking you for your consideration and help in this matter, I am

Respectfully yours,
Luther Osborne.

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Imola, Calif., February 25, 1935.

Director of Institutions,
of the State of California,
Sacramento, California.

from: Luther Osborne,
Napa State Hospital,
Imola, California.

Dear Sir:

Referring to your letter of January 17, 1935, I have made application for leave of absence to the Medical Superintendent and enclose a copy of my request dated

February 11 , 1935. I am told that Dr. Stice is ill, but the matter has always been settled by Dr. Charlesworth. My treatments for this series were completed Thursday, February 14, 1935; even if I am to have more treatments, I will have no more for seven weeks and could have my teeth attended to during that time. I turned this letter in to Dr. Charlesworth and it is over a week since my last treatment; apparently nothing will be done about my leave. My teeth are in an unusually bad condition — decayed, black and falling apart, and x-rays show diseased roots and generally bad, poisonous condition.

The handling of my case and my affairs here by Dr. Charlesworth has been a terrible blunder. My experience clearly shows he never should have been given the power and authority to wreck two years of a man's life and ruin certain valuable interests that can never be replaced. He is the principal cause of my troubles here since December, 1932, when my leave of absence was granted, and he knows he is responsible for considerable of my loss. It has been suggested to me that probably Dr. Charlesworth is opposing my leave because he thinks I may start a suit against him in an effort to recover some of the loss he has caused me.

I have not seen any doctor here more than a few times, for ten-minute talks, during the three years I've been here, and each time on matters connected with my leave of absence. I have not seen Dr. Charlesworth since August 10, 1934, and have not seen him more than six or eight times in my life. Dr. Charlesworth knows nothing about my case other than what is shown by my tests, and that I am receiving

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weekly treatments, and whatever reports he gets from those I come in contact with. These have always been favorable, and, notwithstanding this, I have been denied a leave of absence for over two years, and forced to live under particularly uncomfortable and disagreeable conditions since May 12, 1934, when I was transferred to a locked ward. This was after two and one-half years of highly satisfactory and efficient work on the accounts at the dairy.

I have made demands for my release for the best of reasons, in a perfectly respectful way and in the manner Dr. Charlesworth has instructed me; I have been penalized for doing it. Since December, 1932, when my leave was granted, the handling of my case here by Dr. Charlesworth has been unlawful, unjust, discriminating and not justified from a medical standpoint or from any other standpoint. This would be stopped by a court action, I am assured by a reputable attorney who has handled many of these cases, but I am unable to take it to court because I am prevented from using my own funds for this purpose.

Dissatisfaction and criticism, of the management particularly and of conditions here in general, is widespread by both employee and patient. It is not so outspoken, as they are afraid of losing their jobs or privileges. The acute overcrowded conditions here at times is caused by the doctors holding so many patients here for months, and years after they should have been sent home, I am told by an employed person who has been

here for years and is thoroughly familiar with the conditions and management. In fact, my case may be among others that are worse. I know of several patients who make protests similar to mine and who claim that their interests are not considered at all and that their rights are violated. I am informed that many run away when they have the opportunity and others sent here on unproven charges are kept here indefinitely because someone outside does not want them released.

In addition to the ever-present feeling of restlessness and discontent on the part of the patients, there is an

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element of carelessness, or maybe bad luck, that increases the distrust and the lack of confidence in the doctors, or some of them. During my time here there have been several cases of suicide, that rumor blames their treatment for, and the last unfortunate circumstance occurred a week ago last Thursday, on February 14, 1935, when a patient, a Mr. Petersen, went to the infirmary from the ward where I am staying, for the regular weekly treatment. He was given his treatment as usual, sat down on a chair in the sitting room and in less than ten minutes dropped dead. I did not hear the explanation of his death, other than the discussion that it was something about the medicine used.

I do not know what reports, if any, you may receive about my case; if they are “mysterious” or bad, they are not true, and no doctor here knows anything about my condition except what my tests and x-rays show. I have been to one doctor in Napa for an examination and he wanted to know why they had not sent me home; have had two other examinations by doctors in connection with my sick-leave pay. I am willing to undergo any tests of any kind by competent doctors at any time; I do not consider Dr. Charlesworth competent for this purpose, and I’m sure he is not in my case. I have a very ordinary case of a blood infection and I am practically over it. I have never had a venereal disease of any kind in my entire life and how I could have acquired this blood infection at my age I have no idea. I have never been sick, and but for the tests, I would not believe it. The effort has been to emphasize these troubles and because of the bad cases, include them all; there is as much difference between cases of blood infection as there is between day and night, and every doctor knows it, if they don’t all act accordingly.

My commitment to this hospital was obtained by fraud; this will be taken care of and, of course, it had nothing to do with this institution at that time. When I reached here I expected my case to be handled justly, fairly and lawfully; I have no particular complaint to make about my treatment here or with the hospital authorities until December, 1932, when my leave of absence was granted and I should have gone to my home and could have prevented

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the wrecking of some of my valuable interests that were started when I was sent here. Through the bungling, or worse, of my case at that time, by Dr. Charlesworth and my son, I suffered a total loss of a profitable \$12,000 restaurant business in San Francisco, losses on my rentable properties, and a \$200.00 monthly salary loss for the last two years, which is continuing. From a medical standpoint, I could have received much greater benefit from my treatments if I had been at home where I could have had medical advice and instruction, have had the necessary dental work done and lived a normal life. During August, 1932, the dentist at this hospital gave my teeth a thorough examination and told me I had a bad case of pyorrhea and recession of the gums. He told me if he had teeth like mine he would have them all extracted at once. This dentist reported to Dr. Charlesworth that I had a case of pyorrhea and recession of the gums and Dr. Charlesworth reported that to my son on August 19, 1932, by letter; I was expecting to obtain my leave at that time.

Also, from a medical standpoint, a doctor who wanted the best results from treatments would not force a patient to live under these depressing conditions when it was not at all necessary. It was not only *not* necessary in my case, but I made repeated requests to live home, was able to have the best medical care and stand all necessary expense, and offered to report at any intervals and comply with every reasonable requirement or condition. I have had blood tests twice a year and ten-minute weekly treatments by internes during alternate seven-week periods during the last three years. I was not allowed to have my own physician do this work for me at my own expense, for the added instructional help and advice he could give me, although I have not been sick a day since coming here. I have been doing the same type of work here since December, 1931, that I have always done. I have been doing this daily for over three years and some of my own important interests have been needlessly ruined. Dr. Charlesworth has handled my case from the beginning; he knows there is no insanity in my case and he knew this before and since I was granted a leave of absence: in December, 1932.

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I think it is shameful that a man can be taken from his home and family and kept in this hospital for over three years for no good reason. I believe I have been treated unjustly and unfairly — and I am told, unlawfully. My health is being endangered daily by my detention here and there is no good reason why I should be held longer. There is every good reason why I should be released at once under the usual conditions.

I am not insane, never have been insane and have never given anyone a single instance on which to base such a charge, by any stretch of the imagination. The complaint that brought about my arrest was signed by my youngest son under duress. He is now in Los Angeles.

I respectfully request your help in obtaining my release from the Medical Superintendent here. I have sent in many requests for leave that I have heard nothing from, the last one of February 11, 1935. I am the average, ordinary, normal good

citizen. I have much important work to do because of my long detention here. I am in serious need of dental attention that I am told by two dentists and one doctor, should be done at once.

I am enclosing a copy of my letter to Gov. Merriam and a copy of a four-page "statement" that went with it, both dated January 22, 1935.

Please do something about my case. I will gladly give you any further information I can about anything not clearly explained — and please bear with me for the length of this letter.

Respectfully yours,
Luther Osborne.

Imola, Calif., February 25, 1935.

To the
Attorney General
of the State of California,
Sacramento, California.

from: Luther Osborne,
Napa State Hospital,
Imola, California.

Dear Sir:

This letter is from Luther Osborne.

I respectfully request your assistance in obtaining my release from this institution.

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At present I am a patient at the Napa State Hospital at Imola, California. I have been advised to write you about my case, in addition to the letters I have written to the Governor of our state and to the Director of Institutions.

In reply to my letter of January 8, 1935, to Governor Merriam I received a cordial letter from his office, signed by Walter F. Dexter, Executive Secretary, stating that my letter had been referred to the Director of Institutions and thanking me for writing it. I also received a letter from the Director of Institutions stating that my case is in the hand of the Medical Superintendent here.

I am enclosing a copy of my second letter to Governor Merriam, dated January 22, 1935, also a copy of a fourpage "statement" of facts I sent with it. I have never heard anything further from this, and as my mail here is very uncertain I do not know whether he received them or not; he may have answered it and never reached me.

My experience during the last two years has been so depressing, my efforts to obtain my release so useless, and my losses so enormous, to me, that I am making every effort. I am the average, ordinary good citizen, with a 40-year record in San Francisco and Oakland. I am informed by a good attorney that I am unlawfully held in

this institution, and I am prevented from using my own funds to secure an attorney to handle it.

Can you please help me?

I want my release to look after my own and my family's interests, and to protect my own health. I am seriously in need of dental work and I am losing more than \$200.00 every month that I am kept here.

If you do not take up matters of this kind, can you suggest anything I can do?

I am also enclosing a copy of my letter to the Director of Institutions, dated February 25, 1935. My son tells me that he is acting entirely upon the advice of Dr. I. E. Charlesworth, the Assistant Medical Superintendent here.

Respectfully yours,
Luther Osborne.

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Imola, Calif., February 25, 1935.

Dear Mr. Newspaper Man:

Referring to my letter to you of January 22, 1935, I had expected to write you before this, but I have been disappointed — again — in getting my release, so I have put it off until today.

My object in writing is to try and interest you in the conditions that exist in the hospitals for the insane of the state of California — at least in one of them.

I have found the forgotten man — and woman — in this state.

I do not know that you will be interested in this matter at all, but I hope you will and I am quite sure you will when I have given you some of the details of many things I have learned during my stay here.

Enclosed you will find several copies of letters which surely will be interesting. Will you please keep them for me until I write you again?

Sincerely yours,
Luther Osborne.

Imola, Calif., February 27, 1935.

T. H. Stice, M.D.,
Medical Superintendent,
Napa State Hospital,
Imola, California.

from: Luther Osborne,
Napa State Hospital,
Imola, California.

Dear Dr. Stice:

My attorney has advised me that my further detention in this hospital is unlawful, that there is every good reason for my immediate release and has instructed me to write you the following statements and demand:

That my health is endangered daily by the serious condition of my teeth and gums and the daily routine I am compelled to follow.

That important and valuable family interests and business interests are being absolutely wrecked by my detention here, which is causing me a steady financial loss which has amounted to thousands of dollars to date.

That the continuation of my present routine would

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ruin certain family and business interests that I have worked a lifetime to acquire.

I hereby respectfully demand my discharge or my release by way of a leave of absence.

I earnestly request your cooperation and consideration. I cannot altogether understand the objections on the part of my son, as everything in connection with my case shows the importance of my immediate release — as much for the benefit of my son as for myself, and his mother is under a constant strain.

Will you please give this matter your careful attention and advise my ward doctor?

Respectfully yours,
Luther Osborne.

Imola, Calif., March 6, 1935.

Dear Bill:

Will you please come up next Sunday — or any other time that would be more convenient? I have several interesting things to go over with you, and it will pay you to come up.

I am enclosing a copy of a four-page “statement” dated January 22, 1935; I have some other things of a later date I want to show you.

There was a death here on Thursday, February 14, 1935. It was a patient named Petersen, from the ward where I am staying. He went down as usual with the rest of us for the usual treatment. I had seen him daily most all the time I have been here; I saw him not more than five minutes before he took his treatment. They gave him the usual treatment; he went into the sitting room or lobby of the infirmary here, sat down on a chair as usual and dropped dead in less than ten minutes. The only explanation I have heard is that the treatment was given to him by a medical student, and something about the medicine that didn’t agree with him.

Anyway, I am through with these treatments here — they will never give me another. I wanted to have Dr. Johnson give these treatments to me when I first came here,

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but I've got through all right so far, and I'll see to it that I continue that way. And I'll have a doctor who is experienced in the work.

Haven't heard from you in answer to but very few letters I ever wrote you — maybe two or three. If you can't come up can you drop me a line and let me know what you will do?

Love to all,
L. O.

Imola, Calif., March 12, 1935.

Medical Superintendent,
of the Napa State Hospital,
Imola, California.

Luther Osborne,
Napa State Hospital,
Imola, California.

Dear Sir:

I respectfully request your earnest and careful consideration of the following letter, which I respectfully submit as having an immediate and important bearing on my case. The requests, demands and statements made herein are made upon the advice of my attorney, whom I have recently engaged, and upon the advice and suggestions of others whom I have consulted and written to. They are submitted in the hope that they will be helpful and informing in the disposition of my case.

I feel so badly about my treatment here, I have suffered so much with my teeth and gums, and lately have been feeling so altogether miserable in my general health that I have taken up my case in detail with several friends and state and federal officials, and wish to present good and important reasons for my release, which will enable me to correct my most pressing and serious troubles, which delay will only make worse.

I have written three letters to Governor Merriam, which I have given to my attorney to send and have received two letters in reply. I have written four letters to the Director of Institutions and have received three replies, and one letter to the Attorney General of the state to which I have received one reply. I have written to the Treasury Department at Washington, D. C., but have

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received no reply as yet; I have been employed by this Department since 1895.

I am advised: that the laws of this state do not authorize the detention of a sane person in this hospital for longer than a reasonable period for observation and test; that

my forced detention here is unlawful; that it is a violation of my constitutional rights.

I am also advised to make a respectful demand for my release on the grounds that I am a perfectly sane man, with ample means to secure competent medical care as long as I need it;

That my health is being endangered daily by my detention here;

That I am in serious and immediate need of dental work that two dentists have advised me should be attended to at once;

That my detention is causing me a steady and substantial money loss, and the ruin of certain property interests that I have worked hard for years to acquire. I have lost more than \$20,000 since coming here, a large part of which I could have prevented if I had been allowed to take the leave of absence that was granted me in December, 1932;

That there is every good reason, medical and otherwise, why I should be released, to protect my own health, my family's interests, and my property and business interests. My present routine and confinement is a daily menace to my health and a constant strain; I am entitled to the right to live a normal life and maintain my normal good health, which I have been denied unlawfully for over two years.

With reference to the weekly treatments I have been receiving, I shall refuse to take any more of these treatments here. Sometime in 1932 I tried to make arrangements for these treatments to be given me by Dr. C. A. Johnson, of Napa, but was unsuccessful. I can now get them from one of the best doctors in Oakland as long as I need them and receive instruction and advice about my case from him. My decision in this matter has been largely influenced by the death of a Mr. Petersen, a patient at the Francis Cottage, who died at the infirmary

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on Thursday, February 14, 1935, about ten minutes after he was given his weekly treatment.

I hereby respectfully demand my release as soon as it can be arranged.

I will comply with every reasonable condition or requirement. My son will comply with all necessary details on his part upon notice from you.

My attorney advises me that he is very sure that a court decision would order my release, and I respectfully request your favorable action that I may avoid the necessary costs of taking my case to court. My attorney also advises me that that if am denied my release or a leave of absence, I can carry my case into court in an effort to recover some of the losses I have sustained by my detention here, and that I have a cause of action against the individual doctor responsible, as well. He further says I can make claim for damages to my health because of my enforced routine here which has prevented urgent, necessary and important dental work from being attended to since December, 1932. He also states that if I need more of the weekly treatments and refuse to take them here, but will take them from my own doctor at home, it will be a serious matter to stop it.

My attorney has prepared copies of this letter to be forwarded to Governor Merriam, to the Director of Institutions, to the Judge of the Probate Court of Oakland, in whose court my affairs are being administered, and to my son, William R. Osborne, that they may be familiar with this request.

I have tried to write this letter as respectfully and as reasonably as I possibly could, and I ask for your consideration and cooperation that will enable me to correct many serious conditions that my long stay here has brought about, without further loss of money and a set-back to my health.

I am over 60 years of age and it is very important and essential that I be allowed to live+ the normal, natural life I have been used to for years. I have never been sick, and this action that I request is necessary to conserve and maintain my health.

Respectfully,
Luther Osborne.

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Imola, Calif., March 12, 1935.

Director of Institutions of
the State of California,
Sacramento, California.

from: Luther Osborne,
Napa State Hospital,
Imola, California.

Dear Sir:

I received your letter of March 1, 1935, and I am enclosing a copy of my last request to the Medical Superintendent for my release, dated March 12, 1935. I hardly know what to add to what I have written there, other than to repeat that I never would have believed my experience possible until I had gone through it. That it is possible, is one of the colossal blunders in the management of the state's institutions — at least, this one.

These institutions are necessary; more than that they are grand and magnificent. This one in location is beautiful and ideal. Its management, from the standpoint of the patients' welfare and interests, is a disgrace. The cases of defeated manhood, with no insanity involved, kept here by outside influences, and that condition allowed to continue by the doctors in charge, is an indictment of the law involved or its administration. I have tried to write a reasonable letter; I insist that I have some rights. My attorney tells me very earnestly that I should make my demand for my release on the one fact that I am not insane and never have been; that I don't belong here and should not be kept here. I have preferred to give other very good reasons as well, and that I am able to take care of myself much better than they can do it here; in fact, I cannot possibly get along as well here as I can at home — and that applies to the last

two years, and the doctor knows it, of course. I am sorry I did not know my attorney some time ago.

I am sending you this copy so you will know exactly what I have written. I was transferred to a very uncomfortable locked ward in the main building for writing my letter of July 24, 1935; I may be again for this one, but I will wait for developments.

That conditions permit an incompetent doctor to ruin more than two years of a man's life for no good reason

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and without authority of law, is very serious and important to me, and to those I have talked to about it. It is called false imprisonment by some and illegal conspiracy by others. And my release depends upon the action of the Assistant Superintendent who has kept me here, to say the least, more than two years unlawfully — as my attorney says. I have waited over three years and a half for my release, with no insanity at all in my case, and so stated by Dr. Charlesworth to a friend of mine less than two months ago. His explanation was that I needed more treatments — that I could take with greater benefit at home.

I know my treatment here has been a serious injustice; it is, in fact, worse than a jail sentence of over three years, and I have never committed a criminal act in my life, nor is there any act or condition of mine that calls for this treatment.

I can only renew my request to you for help in securing my release if the Medical Superintendent denies my application sent in today. My attorney says there is no doubt that a court action would order my release and I am trying to avoid that expense after my heavy losses here.

Respectfully yours,
Luther Osborne.

Imola, Calif., March 14, 1935.

To the Governor of
the State of California,
Sacramento, California.

from: Luther Osborne,
Napa State Hospital,
Imola, California.

Dear Sir:

Receipt of your letter of February 28, 1935, is acknowledged with thanks. I ask your indulgence for bothering you still more, but I want to give you the details of my efforts to obtain my release and am enclosing copies of my last application for leave to the Medical Superintendent here, dated March 12, 1935, and my letter to the Director of Institutions, dated March 12, 1935.

In the enclosed letters I have explained my case in part and it is entirely in the hands of Dr. I. E. Charlesworth,

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my ward doctor and the Assistant Medical Superintendent, and today I am told he is the acting Medical Superintendent in charge.

I am advised by my attorney that I am the victim of a flagrant violation of human rights, of constitutional rights, and of a glaring injustice. This description may be overdrawn; he says it is not strong enough.

Dr. Charlesworth has never considered my rights or my interests, and has advised my son to do nothing for me. To me it is almost unbelievable that a condition of this kind can exist. I have been made as uncomfortable, as the locked ward where I am living can make the normal, sane man uncomfortable. The two years and more that I was forced to spend here before May 12, 1934, (when I was transferred to the locked ward for no reason at all) were spent under more endurable conditions, but that was denied me. The environment and conditions under which I am now forced to live would absolutely wreck the good health I have always had, and I am forced into a position of having to fight to maintain my health. I have tried to cooperate with everybody all the time I have been here.

The Director of Institutions has written me that it is his policy to act on the recommendation of the Medical Superintendent, and that is the correct policy, of course. When the Medical Superintendent's recommendation is at variance with law and simple justice, some other method must prevail. In my case I don't know that any recommendation of any kind has been made — there is simply nothing done about it at all, and I am kept here, helpless, with a most poisonous teeth and mouth condition that is doing me serious injury that can never be fully repaired.

If my application for release is granted it will clear up a serious situation. If it is denied I want to again ask your help in some way to make it possible for me to protect my own health — and I refer particularly to the serious case of pyorrhea I have, that has been neglected for over three years, and the other enforced methods of life and routine here that produce disease and sickness in many cases, and especially so with patients of my age or older.

Respectfully yours,
Luther Osborne,

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Imola, Calif., March 14, 1935.

My dear Hattie:

Received your letter of March 10th. It was all wrong again — or almost all wrong. I never in my life said I would make Bill “suffer” for anything. I said I would make Bill and Dr. Charlesworth pay for some of my losses if I could, and I don’t know why you should get excited about that.

When anyone tells you that Bill is doing all he can for me, they certainly don’t know what they are talking about or don’t know what the language means.

Talk about “suffering” — say, you don’t happen to know what a real toothache means. I have spent more rotten nights than you will ever spend — and I’ve spent at least \$3 a month on these teeth for the last two years.

All Bill need do is to come up and take me home — and he knows it. And he has delayed that over two years on the advice of an incompetent doctor — and “he’s doing everything he can for me.”

If I had such a thing as a “worst enemy” — (which I don’t ever expect to have) — I wouldn’t even wish him any such deal as I’ve had.

All I’ve ever demanded — ever — is what everyone expects — that’s all. Just the plain “rights” that you and practically everyone expects to have respected — and which have been denied me ever since I’ve been here.

However, you will understand it all some day. I am enclosing some copies of letters and some papers I wish you would read carefully.

The letters that I am sending you copies of may make trouble for me. There’s a limit for what the “worm will stand for.” The mere fact that conditions were right for putting over this rotten job on me, does not mean that it will last forever.

With love from
Lou.

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Imola, Calif., March 29, 1935.

C. A. Johnson, M.D.,
Medical Superintendent,
Napa State Hospital,
Imola, California.

from: Luther Osborne,
Napa State Hospital,
Imola, California.

Dear Dr. Johnson:

My attorney has advised me to write you a personal letter about my release and give you some of the details of my previous requests.

I am enclosing a copy of my last application dated March 12, 1935, a copy of a letter to the Medical Superintendent dated February 19, 1934, a copy of a 4-page

“Statement” dated January 22, 1935, and a copy of a letter to Governor Merriam, dated March 14, 1935.

I would ask you to please read these letters as they have an important bearing on my case. I am enclosing the copy of my letter of February 19, 1934, as the first of the letters of 1934; there were others.

I am not insane, never have been insane, and there has never been a single act or incident on my part to warrant this charge, by any stretch of the imagination. My commitment was obtained by fraud.

I respectfully request that I be given my discharge or granted a leave of absence.

I have mentioned many reasons why it is important that I be discharged in these letters and do not want to bother you with more. I might add that in addition to my urgent need of dental work, my wife is not well and needs my help and care. I would also like to add that I am the average, every-day, normal and sane, good citizen, and I have a 41 year record in San Francisco and Oakland, California — since 1894.

I earnestly request your favorable decision, that will enable me to avoid the expense of a court case. Please help me with a discharge if possible. If impossible, because of treatments or for any other reason, a leave of absence would enable me to take care of my immediate troubles.

Respectfully yours,
Luther Osborne.

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No attention was paid to my efforts during the first part of 1935, and on May 29, 1935, I made another application for my release — which, of course, had become a habit. I was writing to a few more old friends and while they were sympathetic, it was evident that they just couldn’t believe what I wrote them. When two of them went to see the doctor, they were given a false statement of my case, and one friend was given information he knew to be untrue.

When there was no reply to my application of May 29, 1935, I made others on July 4th and July 14th, 1935. The lawyer-friend I had contacted in 1935 was helping me and trying to save me heavy court costs, but the year dragged along without the desired results.

Imola, Calif., May 2, 1935.

Dear Mr. Smith:

Your visit here yesterday was to me the most pleasureable and refreshing event that has happened during the last two monotonous years. I cannot express my keen

appreciation of the helpful and comforting conversation and attitude and I shall never forget it.

I am feeling so altogether hopeful today that I wanted to get this letter to you in the mail, with copies of some letters I have written that will give you the details of some of the facts of my case — I use the word “facts” advisedly; there has been far more falsehood, misrepresentation and downright perjury than truth, in this case of mine.

I have several things more I would like to write you about, but I will put it over for another letter.

If you will write the Superintendent, as you suggested, I think it would be very helpful and I will, of course, be very glad to give you any information you may wish.

Sincerely yours,
Luther Osborne.

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Imola, Calif., May 8, 1935.

My dear Hattie:

Received your letter of Monday, May 6th. I had my home-going conference April 8, 1935; that was four weeks ago last Monday. I haven't heard a thing more about it since, and all treatments have been stopped for me.

I am living about the most miserable existence it is possible to live, I guess. Some nights I can't sleep half the night — other nights I can't sleep two hours. My teeth are aching all the time — from a dull ache to jumping pains, and I can't chew anything harder or as hard as a crust of bread. When I am working it is not so bad, but I can't understand why I am not allowed to have them fixed at once.

With love from
Lou.

Imola, Calif., May 8, 1935.

Dear Mr. Smith:

I received your letter of May 3, 1935, and want to thank you again. It was altogether nice of you to write to the Superintendent and I am sure it will help.

I will not bother you with anything more in this letter. Would like to know what you heard in answer to your letter to the Superintendent here, but at your time, of course. I am still making efforts to obtain my release and am trying to save what it will cost me to take it to court — and that is why I am still trying to have my boy come up, as it will

not cost anything if he will act; I have lost plenty already in this remarkable experience.

Luther Osborne.

Imola, Calif., May 29, 1935.

C. A. Johnson, M.D.,
Medical Superintendent,
Napa State Hospital,
Imola, California.

from: Luther Osborne,
Napa State Hospital,
Imola, Calif.

Dear Dr. Johnson:

With reference to my letters of March 12, 1935, and March 29, 1935, as it is more than two months since the

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date of my application, I again respectfully request that I be given my discharge or granted a leave of absence.

Since my conference on April 8, 1935, I have heard nothing as to the result of this conference. I have heard nothing from my son for a year or more. My wife writes me weekly when she is well, and says she has heard nothing.

I would like to mention again the painful and dangerous condition of my teeth. Some nights I cannot sleep more than an hour and it is getting to be almost impossible for me to eat solid food. I had complete x-rays taken here in August, 1932, and full details are probably in my file. It was reported to my son as pyorrhea and recession of the gums; the dentist here said they should all be extracted, at that time. I am particularly anxious to have my teeth attended to as soon as I possibly can, which I will do at once upon my release.

My property and business interests are being neglected, and more important matters will be ruined if I am not allowed to take care of them; my actual monetary loss while I am kept here, is more than \$200 monthly.

I am enclosing a copy of my letter to the Assistant Medical Superintendent, dated July 24, 1934, which contains some reference to my rentable properties. This is another important matter that needs my attention and experience. In the meantime I have lost thousands of dollars by this delay, which seems so unnecessary and so unfair; I have a perfect record for every day I have been here.

I have discussed my case with my attorney again today. He says it should not be necessary to take my case into court to secure my release, and advises me to make this application.

Please make it possible for me to go to my home and correct many serious conditions that have been brought about by the bungling of my case for the past two and a half years. I have many important matters that need my immediate attention and which are causing me losses I cannot afford. My release will benefit everybody concerned, and I say that advisedly because I know the conditions that exist.

If there is any objection to my release on the part of anybody, it is not based on worthy or reasonable grounds.

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If such is the case, I should know of it that I may answer such objections.

I will have the best medical attention at all times, and all necessary conditions or requirements will be attended to by myself, my son or my attorney.

Will you please advise me?

Respectfully yours,
Luther Osborne.

Imola, Calif., June 10, 1935.

Dear Mr. Smith:

I received your letter of May 25, 1935, and thank you sincerely for your efforts. I am curious to know the reaction of people to these statements, as I know how surprised I would have been if I had been told that this experience was possible.

There have been so many falsehoods about my case, that brought about my commitment, and I have had such unjust and unlawful treatment here, that every effort is made to prevent my release because they know I am going to insist on an accounting and an explanation upon my release. One would think the authorities would work just the other way, but I have been kept here unlawfully over three years.

Will be mighty glad to see you again when you can come up. I am expecting to get away any day, but I have been expecting that for months, so I don't know when they will release me — and I am still trying to avoid the expense of a court case.

Sincerely yours,
Luther Osborne.

Imola, Calif., June 19, 1935.

Dear Katy and Alice:

I have just received a letter from Hattie, who has returned from her visit with you. In this letter she wrote that Katy had called here at Imola some time last year, and that

she had seen the doctor, but she did not know whether Katy had seen me on that visit. As I had seen

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Katy only on her trip here in 1933, I thought it best to write; I have two friends who have told me that when they first called, they were told they could not see me. They persisted and found what “*misinformation*” is passed out here.

I have never been sick a day since coming here and can be seen any time; have worked every day since December, 1931 — about one month and a half after I arrived here.

You probably saw Dr. Charlesworth if you were here last year, and received the same “*misinformation*” he has given others; I am sorry I did not see you, if this was the case.

I want to start this letter with the same statement that I have been making for years: That I would never have believed it possible for a man or woman, in the state of California or any other state, to have the experience I have been through since coming here in October, 1931.

You would not believe me if I told you the detailed *facts*. I don’t believe anyone would believe it, unless they had been a patient or an employee here.

I was committed to the Napa State Hospital on a charge of insanity, brought about by a man I had been in business with for 30 years; he had put his own son in Agnews State Hospital and understood the method — and he had political and other influence. The judge stated he would not hold me on the insanity charge or on any of the other charges. He stated he would send me here for treatments for a blood infection; he knew there was fraud in the charges.

The complaint was sworn to by Ray; Ray was working for Bill and had to do as he was. told. In December, 1932, I was granted a leave of absence and Ray was notified; Bill ordered Ray not to arrange for my release and I have been here ever since. Bill could have had me released at any time since December, 1932; he told me he had been advised by Dr. Charlesworth not to do so.

I learned that they are holding me here unlawfully; I charge of my funds and I cannot pay the necessary expenses — with my own money; I have suffered a cash loss cannot get a court order for my release because Bill has

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of more than \$25,000.00 for no good reason at all. Dr. I. E. Charlesworth, the Assistant Medical Superintendent here, has handled my case altogether.

The present Medical Superintendent was appointed recently; I have been in hopes of getting my release through him. Have not been successful as yet, but I am trying; Dr. Charlesworth is still the Assistant Medical Superintendent.

That they can continue a glaring injustice of this kind, and an unlawful and flagrant violation of constitutional rights, is the serious part of my experience. I shall have a

very interesting story to tell you some day, but the important thing now is my release. I have been prevented from having my teeth taken care of for over three years.

Hope this letter won't tire you, but I can't seem to write a short one on this subject.

Please express my best wishes to everyone, — and Hattie says you have quite a houseful.

With love and everlasting good wishes,

Sincerely yours,
Lou. O.

Imola, Calif., June 27, 1935.

Director of Institutions of
the State of California,
Sacramento, California

from: Luther Osborne.
Napa State Hospital,
Imola, California.

Dear Sir:

Referring to my letter to you of March 12, 1935, and my request to the Medical Superintendent for my discharge of the same date, I have made a request for my release to the recently appointed Superintendent, Dr. C. A. Johnson, dated March 29, 1935, and another one dated May 29, 1935; I am enclosing copies of these two letters.

I have never heard from either one of them. My wife has written me that my son had received a letter from a doctor here after my conference of April 8, 1935, but she did not know what it was about, and could not learn.

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As it is nearly four months since my letter of March 12 was sent in, and nearly three months since my conference of April 8, I assume, of course, that nothing will be done about my leave, and that my case will be allowed to drift along indefinitely.

I had hoped to do better with Dr. Johnson, and he helped me in several ways; he stopped my treatments and transferred me to a more comfortable ward, and an open ward. Whatever Dr. Charlesworth has decided in routine matters concerning me since my transfer has, been against my interests, and I suppose he is still able to prevent my release.

My attorney tells me he knows the court would order my release, and he has brought two doctors here who have given me an examination and blood test; they will testify if we have to go to court. He has advised me that it should not be necessary to have a court order for my release and I have continued to delay it, hoping that the Medical Superintendent here would enable me to avoid this expense by releasing me.

I cannot put the matter off much longer because of the condition of my teeth, the general condition of my affairs, and the fact that my wife is not well and is gradually

getting worse.

I cannot understand how they can justify my detention here, and I was hoping the change of Superintendent would clean up my last three years' experience here.

I am writing this letter to appeal once more for your help in obtaining my release from the Superintendent here. While I have received no word from him, and cannot learn as to the disposition of my case through the usual channels, I will have to assume that my leave has been denied after this period of time. My boy will not write me, and his attitude should not decide the matter as to my release — and my attorney agrees with this. If he is trying to keep me here, it is probably because he does not want me to examine the accounting of my affairs for the last three years and a half. I have heard absolutely nothing from

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him of my various outside interests since coming here, and the gross amount involved is many thousands of dollars.

My boy's explanation as to why he has not shown me his accounting of my affairs is that Dr. Charlesworth has told him not to.

I regret the necessity of writing in this way; I believe my case requires it. My attorney approved of this letter, and has advised me to state further that a special case will be made of Dr. Charlesworth's connection with my affairs here if we have to go to court.

The worst charge in my commitment papers is entirely false; all of the charges are false or misrepresented. In handling my case I believe Dr. Charlesworth has attempted to act as the judge or the jury, or both, and that "hospitalization" or the charge of insanity has had no bearing on what has been for me nearly four years' imprisonment. I would draw your attention to the fact that the judge who committed me to this place, said at my trial that he would not hold me or send me here on the insanity charge or on the other charges. He stated that my tests showed a blood infection and he would send me to this hospital for treatments.

I have written more or less completely and reasonably about my case and cannot understand why I am held here. My release should be given me as a matter of simple justice, and it will enable me to save important matters from further ruin and take care of my bad teeth and other ill-health-producing conditions. It will be the best thing possible for my son — and the other members of our two families. I am trying to correct the results of the worst managed affair I have ever experienced, and my release is necessary to prevent the absolute wrecking of important family and business interests.

I will give you any further information desired and want to cooperate in every way.

Will you please advise me?

Respectfully yours,
Luther Osborne.

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Imola, Calif., July 4, 1935.

C. A. Johnson, M.D.,
Medical Superintendent,
Napa State Hospital,
Imola, California.

Dear Dr. Johnson:

Yesterday I received a letter from a neighbor of ours in Oakland, a Mrs. Chapman, which I am enclosing for your information.

My wife has not been well for months and she is gradually getting worse. She is alone at home and has to depend on neighbors and friends; she wants me home and needs my help. I have one son who lives in Oakland, who works daily in San Francisco, and who is away a great deal of the time; he is unable to take care of his mother. Will you please allow me to go home for this emergency?

I will be available at any time and subject to your call at my home, and will arrange for anything necessary you may require for this leave. If it is necessary that someone should call for me, my son would come up at once.

I am advised that my wife is seriously ill with arthritis and heart trouble, and that she is under a constant strain. I have written her today that I have made this request.

Respectfully yours,
Luther Osborne.

Imola, Calif., July 10, 1935.

Dear Mr. Newspaper Man:

I am enclosing copies of some letters. This may be getting tiresome to you, but please bear with it for a time.

To me it is a “bigger and bigger” surprise every day. I think it is one of the worst and most outrageous conditions in the state. During my experience here I have seen human lives absolutely wrecked by the bungling, and positively unlawful, management. Many individuals and officials are potential murderers — if they don’t know it.

Sincerely yours,
Luther Osborne.

Imola, Calif., July 14, 1935.

C. A. Johnson, M.D.,
Medical Superintendent,
Napa State Hospital,
Imola, California.

from: Luther Osborne,
Napa State Hospital,
Imola, California.

Dear Dr. Johnson:

Enclosed you will please find a copy of a letter to me from the Director of Institutions, dated July 12, 1935; I received this letter yesterday and my teeth are so painful and aching so badly, I am trying to get this matter before you at once, as suggested.

I have written my son again and was in hopes he would come up and see you, but I have heard nothing from him, and have no further word from my wife since the note from our neighbor of July 2, 1935, advising me she was sick in bed; I am needed badly at my home.

I am also enclosing a copy of my letter to the Director of Institutions, dated June 27, 1935, that you may be familiar with what I have written him. The delay is so bad for all my important matters, and particularly on account of my teeth and my wife's sickness, that I want to ask you to please arrange matters so that I can go home this week, if possible.

I respectfully request that my discharge be given me; if for any reason this cannot be done, a leave of absence would enable me to take care of matters that are important and urgent. My son has advised me that he will come for me at once upon notice that my leave or discharge is granted.

If everything is not covered completely in my letters, I would be pleased to give you any other information desired. Please make it possible for me to avoid the expense and delay of a court case, and enable me to adjust important matters for the benefit of everybody concerned.

Respectfully yours,
Luther Osborne.

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Imola, Calif., July 29, 1935.

Director of Institutions,
Sacramento, California.

from: Luther Osborne,
Napa State Hospital,
Imola, California.

Dear Sir:

Acknowledging with thanks receipt of your letter of July 12, 1935, I have taken up the matter of my release with Dr. Johnson, the Medical Superintendent, and enclose a copy of my letter to him dated July 14, 1935. I have heard nothing further but have received a very disturbing letter from my wife, which is the reason for writing you today.

I know Dr. Johnson is extremely busy and I have tried to be patient. My affairs are becoming so serious for me and my wife, that I want to ask you to request Dr. Johnson to act on my case so that I can take care of several things that are so urgent and important.

I do not believe Dr. Johnson understands all about my case. I have only seen him twice; once at my conference on April 8 and once when he spoke to me about my treatments at the infirmary on April 18.

There has never been a single act or incident on my part to indicate anything other than a sane, normal man. I came here the middle of October, 1931, and was given the malaria treatment. During the first part of December, 1931, I went to work at the dairy here, where I have worked daily, steadily and continuously ever since.

In December, 1932, I was granted a leave of absence, and because my son refused to sign my leave of absence blank, upon the advice of Dr. Charlesworth, I have been unable to take care of many things that are important and need my immediate attention. I am certainly entitled to my release after this period, when I am able to have the best medical care and can save valuable interests from ruin.

I am not insane. The authorities here, who have been here during the last three years, know that I am not insane, and the others can easily learn. The two outside doctors who recently examined me will testify to that and I will undergo any test. This should settle the question

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as to my release and I cannot understand why I am kept here; my attorney tells me it is unlawful.

My attorney called on me today and stated that the doctors he brought here had given me a good report and said there was no reason at all for holding me here. He advises me to make further efforts to obtain my release and says he cannot understand why it should be necessary to take my case into court, but will do so if I am not released.

I am going to write another request to Dr. Johnson today and will enclose a copy for your information. This matter is altogether serious for myself and my wife, and if my son is responsible for my detention here, it is because he is irresponsible and should have nothing more to do with the case.

Respectfully yours,
Luther Osborne.

Imola, Calif., July 29, 1935.

To the Executive Secretary,
Governor's Office,
Sacramento, California.

from: Luther Osborne,
Napa State Hospital,
Imola, California.

Dear Sir:

Referring to your letter to me of March 16, 1935, acknowledging receipt of my letter to the Governor, I am enclosing copies of two letters to the Director of Institutions and copies of two letters to the Superintendent of the Napa State Hospital.

I am writing to request your help in my case by a personal talk with the Director of Institutions. I am informed he is a very busy man and with the Superintendent extremely busy here, I cannot seem to get my case, settled.

I have had a very discouraging experience here and I am trying to save some of my most valuable interests. My attorney says I am being held here unlawfully; if I go to court it will cost me hundreds of dollars, and I have already lost thousands of dollars by my nearly four years' experience here.

My efforts since coming here have been to secure some favorable action by the authorities here as a matter of

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simple justice. All I am asking them to do now, is to do what a court decision would order done — and I want to save that cost and additional loss.

I would greatly appreciate any help you can give me and would be more than pleased to give you any further information. My attorney says that it is a disgrace to the State that this can be done, and, I am sure I have suffered losses enough to entitle me to be placed in a position where I can protect my health and save my remaining assets and interests. I am writing to you personally because I know the Governor is away a great deal and busy with other important matters, and I thought if you were in contact with the Director of Institutions you could help me by taking it up with him, and learn why I am being kept here. I have not seen the recently appointed Medical Superintendent more than 15 or 20 minutes since I have been here.

Respectfully yours,
Luther Osborne.

Imola, Calif., August 7, 1935.

To the
Attorney General
of the State of California,

from: Luther Osborne,
Napa State Hospital,
Imola, California.

Dear Sir:

In recent issues of California newspapers, mention has been made of a constitutional amendment adopted at the last election that empowers the Attorney General to see that justice is administered in the various counties. Referring to my letter to you of February 25, 1935, and your reply to me dated March 4, 1935, I am wondering if you could do anything for me.

I have requested the District Attorney of San Francisco to investigate my case, but have never heard anything from him. I am still a patient at the Napa State Hospital at Imola, California.

I respectfully make the statement that "justice is not being administered" in my case. I am told by a reputable attorney that I am being kept unlawfully in this institution;

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I have made repeated requests and demands for my release.

The probate judge of the Superior Court of California, in Oakland, in whose court my affairs are being administered, has written me that the Superintendent of the Napa State Hospital is enjoined to discharge me if I am not insane. He writes: "is enjoined by the law to discharge you."

I am not insane. I will gladly undergo any tests. I was committed to this hospital for treatments for a blood infection, which I have been receiving for over three years; these treatments have been stopped and I am still held here.

My present complaint is against the authorities of this institution for my long and unlawful imprisonment here. My two ward doctors, one of them the Assistant Medical Superintendent, have stated I am not insane. Your ruling, given to the Director of Institutions of this State during June, 1935, that a person committed to the State Hospital was not adjudged insane until he was so declared by a separate court hearing, shows their position to be unlawful, unjust and discriminating.

One of the rules of this institution is that a relative or some suitable person must sign for a patient's release; I have complied with this rule but my release has been denied. My son, who has been handling my business affairs for over three years (which have amounted to many thousands of dollars), has steadily blocked my release and has given me no accounting of any kind during this time. I would be released at once upon his application, which he refuses to make.

My attorney advises me that this rule cannot override the law which provides for my release. I cannot get a court order for my release because I am prevented from using my own funds for this purpose. In the meantime I am held here unlawfully.

I have been in the U. S. Customs Service since 1895; at the time of my commitment in October, 1931, I was the Cashier of Customs for the Port of San Francisco. I

have been a taxpayer in this State for 40 years. To me, and to many others, it is the most unwarranted, unjust and unlawful treatment that could be given an inmate in these institutions. That the average, good citizen, with an open record of 41 years, can be subjected to this experience, in the face of repeated explanations and statements as to fraud, is a disgrace to the State.

I have lost considerably more than \$20,000.00 because of my unlawful detention here, and I am losing over \$200 every month I am kept here:

I have appealed to the Governor of the State and he has referred the matter to the Director of Institutions. The Director has written me that "it is the policy of his office not to order the release of any patient in the State institutions without the recommendation of the Medical Superintendent." The new Superintendent has, so far, failed to release me and because I am prevented from using my own funds to secure a court order for my release, I have been held here since December, 1932, when I was granted a leave of absence, which was blocked by my son and the Assistant Medical Superintendent here.

I write this way. because of the conditions that exist here. Some patients have been kept here for many years because someone outside does not want them released. I never would have believed it possible, and I am told it is not possible in other states.

I have been frank in my statements and in my letters — and entirely truthful. This has no doubt caused some of the delay in the disposition of my case, but it is not right, if that is the case.

If you cannot help me in any way, I would be very grateful for any suggestions.

Respectfully yours,
Luther Osborne.

Imola, Calif., August 31, 1935.

Dear Mr. Smith:

Your letter of August 15 was received. As you write, I am up against a serious situation — and almost unbelievable; the average person would positively not believe it,

and I would not have believed it, before my experience here — so I know how it must appear to others.

I have written my story to several State and county officials, as you know, and they have referred the matter to the Superintendent of the institution I am complaining about. No question has ever been raised as to the accuracy of my statements and

letters, and the authorities here know the general facts in my case; they know the loss I have suffered by being sent here, and they know the steady loss I am suffering every month I am kept here.

And on top of all this, my attorney states that they are holding me here unlawfully, and that it is a rank injustice to force me to spend several hundred dollars to obtain a court order for my release. He advises me to continue to demand my release from the authorities here and from my son. It is probable we would get along better if he had been well the last month.

My son could obtain my release at once, and he has never told me why he refuses; he blames Dr. Charlesworth for my long and unlawful detention here. He will not write me and I haven't seen him for a year. He has handled transactions of mine during the last four years that have amounted to thousands of dollars, and the current monthly business amounts to hundreds of dollars. I have never had an accounting from him or heard anything about these matters.

That this case of mine is possible, is a disgrace to the State, to some of its officials, and to many individuals who are responsible.

It's worse than a disgrace. I have worked here daily, steadily and continuously since the early part of December, 1931, for which I have received nothing — other than treatments that I could have secured better outside. In the meantime valuable and important interests of mine have been absolutely wrecked, and others practically ruined for lack of attention and management.

I hope to be celebrating my release with you some day, and looking back on the worst experience I have ever been through in my life.

Sincerely yours,
Lou Osborne.

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During the summer months of 1935 my attorney was taken sick and later went Arizona. I made arrangements with another attorney, but it was a new case to him and we made but little progress. The lack of funds was the all-important reason, and while I had ample resources, I was prevented from using them by my son and I Charlesworth.

The following letters were among the first written to this new attorney.

Imola, Calif., September 24, 1935.

Dear Mr. Attorney:

I have been very unfortunate here; I had my case in first-class shape with Mr. J. J. Kelly in 1933 and he died while it was pending. I succeeded in getting a fine attorney

on my case in March of this year and after considerable work he was taken desperately sick in July and is not expected to live; they are to take him to Arizona if he can be moved. He told me he would have me released without going to court and was in the midst of his plans when he was taken sick.

My case is one of fraud, perverted influence, false statements, perjury, and, I believe, conspiracy. My complaint at present is the injustice on the part of the doctor in charge here for holding me (a sane person — and admittedly so by them) a prisoner for nearly four years for treatments that I could get with better results from my own doctor. It has been a succession of disappointments and I have never been so handicapped in my life; I am advised it is absolutely unlawful.

There is not one single charge against me that is true. My arrest was the result of spite work of the worst kind. There has never been a single act or incident on my part on which to base a charge of insanity and my arrest was brought about by fraud and political and other influence. That it has been possible to keep me here so long is a disgrace

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to everybody concerned and an indictment of the law that permits it — if there is such a law.

I believe that my release could be obtained by a demand on the Superintendent here by someone other than myself.

Yours sincerely,
Luther Osborne.

Imola, Calif., November 20, 1935.

Dear Mr. Attorney:

Delay and uncertainty is the usual thing here and I don't know that I am greatly surprised, but I am more and more disgusted — if that is possible. As you know, I have put my case clearly before the Medical Superintendent; I don't know, of course, that he has even read what I have sent him. I do know that I am being held here unlawfully and I blame him particularly for holding me so long since he assumed full charge.

However, I know that this attitude does not help me while I am here — and it does not worry me, either; I have a more serious complaint about the preceding three years. What I am anxious about now is their verdict as to our last efforts to obtain my release. I want to add that I am more than ever amazed that they can handle these cases as they do.

My son and his wife were up here last week; I saw them at the front entrance as I was talking to friends. When I reached the building I could not find them, and never heard from them at all.

I also want to add that I have been kept here four years with no insanity whatever involved. This has resulted in what has been to me an enormous and serious financial loss — and this is continuing with a monthly loss to me of more than \$250 every month I am kept here. And there is no question as to the fact that my release is being prevented because of my outspoken criticism; they know I am right — and truthful.

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Have just been told that the Medical Superintendent died this morning. It was very sudden and supposed to be a heart attack; apparently no one knew he was at all sick.

Sincerely yours,
Luther Osborne.

Imola, Calif., December 9, 1935.

Dear Mr. Brown:

Your letters of November 20 and 26 and December 4, 1935, have all been received. You ask if my case is to rest there and I want to write an emphatic “NO” — I should say not. I am working on it every day; and I might add that I expect to collect for every day I am kept here. However, I don’t want to write anything unreasonable or that may seem unreasonable, but I am very sure that there are certain penalties for these things, even in California. At the present time I am terribly handicapped, of course, but, as you write, the “right” will ultimately prevail, and we will continue to handle it intelligently.

My commitment here is the result of lies, perjury and a frame-up by parties who knew what charges to make from experience. When I am out of the place I can disprove everything; here I can only write my story — and in some instances it is not even read. It is almost unbelievable that a condition of this kind can exist, and I lived in the Bay Region nearly 40 years before I knew such a thing could happen.

Sincerely,
Lou Osborne.

CHAPTER VI

At the end of the year 1935 I had added some new correspondents to my list. The attorney-friend who was helping me during the early part of 1935 was taken seriously ill during the summer months and was taken to Arizona. I secured the services of another attorney and continued my efforts for release. This new attorney was not altogether familiar with the case and it required some time to give him details. The only good attorney I had up to this time, died in Arizona in November, 1935, and the new attorney was of no use at all.

In November, 1935, the superintendent who was appointed in March, 1935, also died suddenly, and another Superintendent was appointed in December, 1935. With more or less confusion because of these and other conditions, my first application for release in 1936 was sent in March 16, 1936.

Another old friend I had worked with for many years, came up several times but was completely bluffed by the doctors and could not make any headway in his efforts to help me. However, the efforts were continued and I was brought up again for a home-going (?) conference in January, 1936 — but it was all settled before it took place and meant nothing to me.

It was mid-summer of this year, 1936, that the rotten, contemptible handling of my case brought outspoken criticism from many, including the Director himself, but it failed to help me in any way. Before and after the death of my wife in July, 1936, all of those handling my case showed the ugly indifference savages would not be guilty of, and confirmed the conviction of several who knew the details, that it was the worst hell-hole in the country.



Imola, Calif., January 8, 1936.

Dear Mr. Attorney:

I am writing today to enquire whether you think it would help matters for me to write to the new Superintendent and send the letter to you to forward with your comment. I have done nothing whatever other than what I have written you about; am very anxious to get started with my dental work and look after some important matters that are causing me a substantial loss every day.

Will you please write me what news you have heard about my case — and whether I should do nothing at this end but wait for developments?

I would like to add that there are a great many patients here who are not insane and who are kept here for years by force, against their will — in many cases because someone on the outside does not want them released; there are some who are willing to stay because they have no means. However, they are forced to stay here and many are kept under lock and key if they are not workers. Of course, these institutions are necessary for the majority of the patients, but the glaring injustice to those who never should be kept here is a disgrace to the State and to those responsible — it is criminal indifference and incompetence and absolutely unlawful. My experience here has been a shameful one and is an indictment of those in authority who allow its continuance. My commitment was obtained by fraud and the authorities here know it. They also know there is no insanity in my case and have known it for years.

You have no doubt heard many things about my experience that I know nothing about; I have had that trouble with a few in the Customs House. When I was told about them, I explained everything and it was confirmed.

Sincerely yours,
L. Osborne.

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Imola, Calif., January 17, 1936.

Dear Mr. Attorney:

Will you please read the column article on page 3 of the *San Francisco News* of Thursday, January 9, 1936, a copy of which I am having sent you from the News office? It is headed: "Van Nostrand Tells Work of Lunacy Board."

I want to write some comments about it.

Paragraph No. 5: "In my 27 years holding lunacy court, I have seen only two attempts to 'railroad' sane persons to hospitals for the insane," he said. "Both were cases of marital trouble — one mate wanting to get the other out of the way. They were stopped."

I hesitate to write how many cases there are here that I know come under that paragraph — a great many. And a particularly revolting feature of some of them is that they are kept here when the authorities know there is no insanity involved and that their commitments are faulty and illegal; this has resulted in absolutely wrecking the lives of some patients.

Paragraphs 8 and 9: "Anyone can ask a sanity test of another person," Judge Van Nostrand said. He admitted that a relative or neighbor with a grudge or himself mentally unbalanced, might seek to persecute someone through an insanity complaint.

"But very, very few grudge complaints are acted upon," Judge Van Nostrand said. "The investigation is too thorough to permit it."

The investigation of my case was *not* thorough — and the cases of many others here, that come from all parts of the state. I never saw a judge until I had been in the San Francisco Hospital for more than a week, and then I had a ten-minute trial where the talk was about my blood test. There are many *grudge* cases here.

Paragraph 13: “I inform each person of the insanity charge against him and of his right to call a lawyer or witnesses,” Judge Van Nostrand continued. “After investigation, the doctors and myself adjudge the person sane or insane. If insane, the person then has the right to a trial by 12 jurors. If the jury finds him sane, he is freed.”

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I was not allowed to have a lawyer or witnesses. *After investigation*, I was not adjudged insane; I was sent to this hospital for treatments for a blood infection. At my trial the judge said he would not commit me on the insanity charge, or on any charge; that he would send me here for treatments.

I was given treatments for a year and in December, 1932, was granted a leave of absence to go home and continue treatments with my own doctor. At that time Dr. Charlesworth and my son prevented my release on a technicality and I have been kept here ever since — a malicious and unlawful procedure.

It is more than three months since the middle of October when everything was about ready, and I haven’t heard anything definite as to why I was unable to leave. The new Superintendent has been on the job over a month, since December 15, and I am told many patients have left during that time. It is more than ever a puzzle to, me how they can handle cases like mine as they do; it has been unjust and unlawful and an insulting procedure. I suppose Dr. Charlesworth is largely responsible and he must be working with my son for a reason; that it is possible is a disgrace to them all.

Whatever you may hear from the doctors here, as to my case, should be considered with the following facts:

My present ward doctor is Dr. Rapaport. I have seen him only twice in my life, at my conferences. The last time was April 8, 1935 — have not seen any doctor since that date.

In more than four years here I don’t believe I have seen any doctor more than ten times, and most of these times at conferences called to consider my discharge. All the treatments I have ever received have been from internes and attendants, and all any doctor knows about my condition is what is reported to him. Have never been sick here a day and have been working daily, steadily and continuously since December, 1931, when I finished the malaria treatment — I came here in October, 1931. Have been working daily with their dairy employees, and these employees know my condition as anyone would by daily contact for over four years.

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Some of the reports I have been told about as coming from here and from the outside are plain lies — and some of them not very bright ones at that. The

management of my whole case has been disgusting — and unlawful, and they have everyone here so helpless it takes years to correct a rotten condition that wouldn't be tolerated at all if the right people knew the truth. In my case I was "railroaded" by people who knew what charges to make — most of them outright lies — and at least one doctor here worked with them to the end that I have lost four years of my life at my age.

Yours sincerely,
Luther Osborne.

Imola, Calif., January 30, 1936.

Dear Mr. Attorney:

Have not heard anything at all since my conference of a week ago Tuesday, January 21, 1936, and have no idea what action was taken. Three others at conference the same day have left, one of them last Friday and two on Saturday. I can't understand the absolute indifference and unlawful delay in my case, or at least I can't understand how one doctor can continue to block my release after the unlawful, rotten deal I have had for over four years; there is no reasonable, and truthful, explanation of it.

This letter is written in the hope I can learn some idea of what is going to be done in my case and if there is anything at all I can do.

Sincerely yours,
Lou Osborne.

Imola, Calif., February 6, 1936;

Dear Mr. Attorney:

Yesterday I was called to the dentist's office and he gave my teeth a thorough examination. He told me they were worse than when he examined them last and that I should have them all extracted. He said this examination was for the doctor, although he did not say which one.

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I am writing this so you will know everything that has been done about my case as far as I can tell you. That is the only thing I have heard since my conference on January 21, 1936. I suppose this is in connection with some of your correspondence with the doctor, and I hope it is.

Sincerely yours,
Lou Osborne.

Imola, Calif., February 14, 1936.

Dear Mr. Attorney:

This letter is merely a report that I have heard nothing at all since your letter of January 20th was received.

The more I see of things here the more disgusted I become, if that is possible. Two old ladies came in this week, no insanity whatever involved, sent here by their folks to get rid of them. The conditions here are a disgrace to the state and many of the employees admit it. Some of the indifference is criminal, or worse, and the incompetence of some of those in charge is almost unbelievable — and it could so easily be changed.

Sincerely yours,
Lou Osborne.

Imola, Calif., February 17, 1936.

Dear Mr. Smith:

Your letter of February 15, 1936, was received today and I was mighty glad to hear from you. Have been working steadily on my case all this time so you will understand somewhat, what a long job this really is; hope to make it very soon. Have only time for this short note now to acknowledge receipt of your letter and will write more in a few days.

With all good wishes,

Sincerely yours,
Lou Osborne.

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Imola, Calif., February 20, 1936.

Dear Mr. Attorney:

This letter will be a report that I have heard nothing about my release. After writing you about my homegoing conference of January 21, 1936, I might add here that these conferences are held mainly to protect the doctors in many cases, and the interest of the patient is not considered. In most conferences, one doctor only knows about the case considered and the entire staff vote on it in accordance with his suggestion — in

some instances this one doctor knows but little about the case. In the cases of some of the patients in this institution it is a glaring injustice, absolutely unlawful, and a disgrace to those involved; that it can be carried on for years, in some cases, is a criminal evasion of responsibility and in others a criminal conspiracy and false imprisonment.

I don't know that it will do any good to write about these things, but it is hard to ignore the conditions that exist in my case — and others. I was taken away from my home and work by a man with certain political and other influence and with experience in securing commitments to these places. Without one truthful charge in the complaint, with no opportunity to disprove the charges made, I have been held in this institution over four years, three of those years being after I had been granted a leave of absence, obtained by a year of effort, and the doctor who has kept me here these years has no good reason for my unlawful detention.

I do not know, of course, what they have written you, but I do know what they have written to Mr. Kelly and others. Their reasons have been evasive in some instances, and in others a mere denial of my release. My son is probably doing all he can to block it, but I can't understand why the Superintendent keeps me here if he knows the details of my case. I have never seen Dr. Scanland more than once — at my conference — and I suppose Dr. Charlesworth is able to prevent my release. I have had examinations by outside doctors since coming here and the last one was described in my letter to the Director of Institutions, dated June 27, 1935 — a copy of this was sent

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you. From a medical standpoint, it's a joke to keep me here and they ought to be ashamed of their record in my case. I have never been sick a day since coming here — or before — and I will be glad to take any tests or examinations. I am losing more than \$200 every month I am kept here and I am sure that ought to be stopped.

Sincerely yours,
Lou Osborne.

Imola, Calif., March 16, 1936.

Dear Mr. Attorney:

My wife's brother came up today. He says he is very upset about my case and that he is going to try and do something about it; I have asked him to wait until I have seen you.

We decided on a letter to Dr. Scanland requesting my discharge and I am enclosing a copy of this letter so you will be familiar with what I have done; judging from my experience here it will require help from you.

I believe that Dr. Scanland knows very little about my case. This place becomes more remarkable to me the longer I am here and it is certainly one of the state's activities that the general public should know more about.

It is now nearly two months since my last conference of January 21, 1936; evidently someone who is able to do it, will make me waste more time here. After more than a 40-year open record, that it is possible to put over an experience like mine, is a matter of concern to every citizen. The trouble is primarily with the management of the institution, who allow these cases to continue for years. If Dr. Scanland knew I was going to take my case to court, I am told he would release me. If he would not, I am very sure the court would.

Will you write to Dr. Scanland about this letter I am sending in to him today? I am told that many cases do not reach the superintendent himself in detail, and that the system makes it possible for others to decide their disposition.

If there is anything I can explain further, I will answer an inquiry promptly.

Lou Osborne.

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Imola, Calif., March 16, 1936.

J. M. Scanland, M.D.,
Napa State Hospital,
Imola, California.

from: Luther Osborne,
Napa State Hospital,
Imola, California.

Dear Dr. Scanland:

I respectfully request that I be given my discharge.

I am not insane and never have been insane. There is not one single act or incident on my part that would lead to other conclusions by any stretch of the imagination. I have not been sick a day since coming here. I have had no sickness during my 36 years of employment in the U. S. Customs Service in San Francisco. I want to continue this record by having my teeth attended to; my teeth are in terrible condition and have been neglected for over four years. I have been advised that this condition will make me sick if it is not taken care of, and my San Francisco dentist and the hospital dentist here say my teeth should be extracted at once.

I am a perfectly normal man mentally, and will have every necessary medical and dental care that I may need upon my release.

My monetary loss is more than \$200 every month I am kept here.

I have written several letters to former Superintendents explaining the urgency of my case. My letters to Dr. Stice of February 19, 1934, and March 23, 1934, brought about my transfer from the C. C. Cottage to the Francis Cottage on May 12, 1934, and

my letter of July 23, 1934, to Dr. Stice and my letter to Dr. Charlesworth of July 24, 1934, brought about my transfer from the Francis Cottage to Ward G on July 24, 1934.

My wife's brother, Mr. Frank Finch, called on me today and will mail this letter to you. He will also prepare a copy for my attorney, that he, may know the details of this request.

Will you please give my case careful consideration that I may take care of many important matters?

Respectfully yours,
Luther Osborne.

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As an instance or illustration of contemptible manhood, with all the instincts common decency sodden and shriveled, the reader's attention is invited to the method used in my case when my wife was on her death-bed and I was locked up with insane patients and a viciously incompetent doctor — who was probably not altogether satisfied with himself.

With daily requests, both oral and written, made to the ward doctor and the Superintendent, my efforts and requests were as completely and brazenly ignored as I had been a murderer, or worse. It would certainly have been handled better by the lowest paid employees in the place than it was handled by the highest paid employee — and it is here mentioned that the doctors are employees, and so classed.

Imola, Calif., March 20, 1936.

Dear Mr. Attorney:

My wife's brother called on me again today and said he would be here again the middle of next week on his way to Sacramento.

He suggested that I write for some definite news from you so that he can do, or try to do, something at Sacramento, if you have done nothing further. He said he had registered my letters to you and Dr. Scanland of March 16th; I have heard nothing.

I don't believe you can imagine the absolute indifference given a patient or his interests, or that because someone on the outside does not want a patient released, he is held here for years.

If this isn't about the limit I wouldn't know what to call it, and in some cases it entails a physical wreck of a patient and a partial or complete financial ruin of his business interests.

Would like to close this paragraph with the same statement I have made before that this place is a disgrace to the state. The institution is necessary — the management has been vile; maybe this will be changed under the

present chief. I know why the doctor who is responsible for my long detention here is trying to prevent my release. I don't know why his chief should allow it.

Sincerely yours,
Lou Osborne.

Imola, Calif., April 30, 1936.

Dear Mr. Attorney:

This letter is to report that I have heard nothing and to ask for some information. This delay is the same general program that has kept me here four years, and while I have been making every effort since I've been here, I want to continue these efforts.

The authorities here have not one good reason for this long delay — and there are many good reasons why I should be discharged at once. It is an unlawful and insulting procedure and a disgrace to those responsible.

I do not know of course what you have heard about my case, but I suppose the same lies that have been used before. The charges in my commitment are false; there is nothing mysterious about my case — other than the fact that this bare-faced frame-up can be put over so successfully.

I have three important matters pending that I don't want to take up now if I can get a court hearing or secure my release some other way.

Please advise me.

Sincerely yours,
Lou Osborne.

Imola, Calif., May 7, 1936.

Dear Mr. Attorney:

The more I think of my experience here, the more sure I am it is one of the worst conditions in the state; it should never be possible — and it wouldn't be possible but for help from the state officials who are employed to prevent just such things. Very few know it is possible — and few would believe it if told. I have lived in Oakland 42 years — since 1894. I have been a good citizen and have worked *hard* all this time; have been an Oakland taxpayer

since 1895 and carried my responsibilities as well or better than the average good citizen. Without a warning of any kind this frame-up was put over by a man with considerable influence and experience, and it was worked successfully with the help of state officials.

The contemptible standard of behavior, decency and management shown by some connected with this institution and its patients is disgraceful and vile, and in many cases unlawful and even criminal. I have been told that unfavorable action in my case has been bought from crooked officials; I am losing money every day I am kept here.

Lou Osborne.

Imola, Calif., May 19, 1936.

Dear Mr. Attorney:

For the past month or six weeks I have heard discouraging reports that my wife has been worse and yesterday I heard from Bill's wife that they had taken her to a hospital. Have heard nothing from Bill and have not heard from my wife since Christmas week.

I believe I am getting the worst deal a man could get and I think it's a damn outrage; Bill and Dr. Charlesworth are responsible for this.

I don't see what the devil is the matter with them in a case like this. I should be home, and my wife is getting pretty nearly as bad a deal as I am — and she can't help herself.

By the miserable handling of my case, both Bill and Dr. Charlesworth have kept my wife under a constant strain — in fact, have made her seriously ill, and have kept me from taking care of her, which I have been doing for 36 years (as one informed friend has said, an effort, apparently, to get rid of us both). By their efforts and bungling I have had over three years of false imprisonment and suffered a loss of thousands of dollars — and a steady loss every day I am kept here.

I am practically doing nothing — just waiting week after week to get home where I can be of great help.

Sincerely yours,
Lou Osborne.

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Imola, Calif., June 2, 1936.

Dear Bill:

Would like to hear more of Mamma. She did not answer my last two letters and when I tried to phone her I was told her telephone had been disconnected. I telephoned to your house, May 18th, and Kay told me she had gone to the hospital.

It is nearly a year since I wrote you. Why you and Dr. Charlesworth persist in holding me here, apparently cannot be understood by anyone else, and it is doubtful if either of you know what you are doing.

L. O.

Imola, Calif., June 16, 1936.

Dear Mr. Attorney:

I have tried to get some word about my wife. On May 18th Bill's wife told me over the phone that she was going to a hospital. Since then I have written to Bill and phoned several times, but I am told they are not there when I phone to the office or the house, and Bill will not answer any letter I send him.

Today the girl at Bill's house told me over the phone that she thought my wife had been taken to the Rest Haven Hospital in Oakland — that's as near as I could get it and I asked her to spell it out.

Will you please have someone ask what hospital my wife has been taken to? I would like to get some word about her and I can't get a single word from Bill. This case of mine is the limit, and I would not have believed that it could be possible.

Can you do anything to stop this nonsense? I have no confidence at all in the way they are taking care of my wife and I should be at home at once. If she has been sent to a hospital, that is only the start and I will be needed more than ever. Will you take this matter up direct with Dr. Scanland. This is serious for both of us and I must get my release before more damage is done that can never be repaired. It's the damndest thing I ever heard of, and Bill and Dr. Charlesworth certainly don't know what they are doing.

Sincerely yours,
Luther Osborne.

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Imola, Calif., June 29, 1936.

Dear Bill:

I don't know where to write to Mamma. I suppose she is in some hospital from what I was told over the phone from your house, but I haven't even heard of her or from her

since the first of the year.

I am losing money steadily every day I am kept here, and you could change that at once, and you could have changed it any time since my leave was granted in December, 1932; it's the damndest thing I ever heard of. I haven't had a single treatment for over a year because I am entirely through with them — and that's another thing to be explained.

For downright stupidity, and worse, this case of mine is the tops and it will probably be an expensive experience if you don't correct it.

Would like to hear some news about Mamma.

Love to all,
L. O.

Imola, Calif., July 4, 1936.

Dear Bill:

Received your letter of July 2nd and note what you write about Mamma.

Of all the rotten deals I've ever experienced during my life, keeping me in this place is altogether the worst. With Mamma as sick as she is, you keep me here doing nothing — a violation of all my rights, sacred as well as constitutional. And Dr. Charlesworth is worse than you, incompetent and holding his place through influence. Neither of you realize the "rotteness" of what you're doing. No doubt, your handling of my case has made Mamma worse — and Dr. Charlesworth is a potential murderer, if he doesn't know it.

You didn't write anything about other matters I wrote about, but I hope you will write about Mamma, as you suggest.

Love to all,
L. O.

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Imola, Calif., July 5, 1936.

Dear Bill:

After receiving your letter about Mamma I made application to the Superintendent for permission to go home and asked him to write or phone to you.

Will you please telephone him and arrange to come up and get me. You can probably come at any time that will fit in with your work and plans.

Love to all,

L. O.

Imola, Calif., July 5, 1936.

Dear Bill:

After hurriedly writing you yesterday and today, I will have time to write this note and ask you to please arrange this matter and come up and get me. I will see Dr. Rapaport in the morning and if you can phone him after you get this I will pay all charges.

Please do not fail me on this, Bill, and I am very sure I can be very helpful. I am also sure that it will help Mamma.

Love to all,
L. O.

Imola, Calif., July 10, 1936.

Dear Bill:

Please write me something about Mamma — how she is and whether you have seen her lately, within the last day or so. Have you heard from the doctor here or did you telephone or write to him? For heaven's sake, Bill, will you do something about getting me home? Wrote you a letter on July 4th and two on July 5th. Sent in my application to go home on July 6th and haven't heard a word from anybody. Haven't seen a doctor since last January, when I had the last conference, and then only for a few minutes. Couldn't see Dr. Rapaport but got a letter to him adding to my application. What the devil the doctors here know about the patients is hard to understand. For the last two years I haven't seen any doctor more than ten minutes — and then about my getting out of this place.

Love to all,
L. O.

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Imola, Calif., July 5, 1936.

Dr. Walter Rapaport,
Napa State Hospital,
Imola, California.

Dear Dr. Rapaport:

Enclosed you will find an application for permission for me to go home on account of the serious illness of my wife, and a copy of a letter to my son, both dated July 5, 1936.

Will you please help me to obtain this permission? I will give you any further information desired and you can get other details from my son if necessary.

My wife is very low and the permission will relieve her anxiety and improve her condition, I am very sure.

Respectfully yours,
Luther Osborne.

Imola, Calif., July 5, 1936.

Medical Superintendent,
Napa State Hospital,
Imola, California.

from: Luther Osborne,
Napa State Hospital,
Imola, California.

Dear Sir:

I respectfully request permission to return to my home in Oakland.

My reason for making this request is that my wife is dying. I received this word yesterday and my son writes me as follows:

“I am sorry to report that Mamma is not getting along very well. She has been very sick the last two months and it has been necessary for her to stay in bed.

“It was necessary to have her in a hospital because she needs constant nursing care, day and night. Altho she doesn’t seem to show improvement, we are hoping for the best.”

If you will write or telephone to my son, I will pay all telephone expense.

Will you please advise me?

Respectfully yours,
Luther Osborne.

On July 16, 1936, I received a letter from my son that my wife had passed away on July 12, 1936. Her funeral had been held July 14, 1936, and I did not know that she had died at that time.

During the year 1936 my wife's brother came to see me whenever his work brought him to this section of the state. As he learned the details of my case, he became very much interested and active, and helped me in many ways. After my wife's death I attempted to see the Superintendent and wrote to him in September, 1936. He was ordered north on his selling route and later ordered to the home office of the company he worked for in Chicago.

On September 3, September 10 and September 28, 1936, I wrote to the Superintendent and my brother-in-law wrote to the Superintendent on September 2, 1936, the day he started on his trip to Portland, Oregon.

Imola, Calif., July 15, 1936.

Director of Institutions
of the State of California,
Sacramento, California.

from: Luther Osborne,
Napa State Hospital,
Imola, California.

Dear Sir:

Referring to my application to the Medical Superintendent of July 5, 1936, a copy of which was sent you on that date, I am enclosing a copy of a similar application dated March 16, 1936; I have heard nothing.

I am writing this letter as my last request to you for an investigation of my case, as I am so utterly disappointed with my experience here that if nothing can be done by institution authorities I will have to look elsewhere for help to get simple justice. I have never had such unjust, unfair and cold-blooded treatment in my life as in my time here and wouldn't have believed it possible.

I have been very unfortunate in my efforts to secure my release. I had a splendid attorney who was making progress with Dr. C. A. Johnson, the Superintendent, who told him in July, 1935, that my discharge would probably

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be given me shortly. He was taken desperately ill and was sent to Arizona where he died in November. Dr. Johnson also died in November and since then I have accomplished but little. Another attorney took my case but because I am prevented from using my own funds, he is doing nothing and has never been to see me; my wife's brother is trying to make some arrangement with a San Francisco attorney.

Since Dr. Scanland came I have seen him but once — at a conference given me January 21, 1936. I was told my ward doctor was trying to get my release at that time but that it was blocked by Dr. Charlesworth, who has blocked every effort I have made since I was granted a leave of absence by the entire medical staff in December, 1932. My attorney says I have been held here unlawfully for three years and six months — “since December, 1932. I have suffered a loss of over \$30,000 by being kept here, most of which could have been prevented if I had been released in December, 1932. Dr. Scanland has been away a great deal and I am told he is still sick.

I would like to state a few facts as briefly as I can:

I am not insane and never have been insane in my life. My commitment was obtained by fraud. The judge stated he would not send me to this hospital because of the charges made, but he would send me here for treatment for a blood infection; I have been through with these treatments for over a year, have not been sick a day and have worked here daily, steadily and continuously since December, 1931, at a tremendous financial loss.

Dr. Charlesworth has been in charge of my case. He has used his authority to violate my rights and liberty. He has made statements about my case to my sons, and others, that are not true. He has made my wife a very sick woman by his handling of my case and today she is in a dying condition. He has ruined some important home, business and financial matters of mine that can never be replaced or recovered, and I have been prevented from having important dental work done that may prove to be very serious — four and one-half years of dental misery.

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There has been no good reason for this and I am told it has been unlawful; I have never been adjudged insane and am willing to undergo any tests. It has been an unjust, unfair and unnecessary handling of a simple case and in my opinion he dreads and will try to prevent an investigation of his record in my case. I have been told by a fellow employee of the Customs Service that after the effort failed to induce me to run away from this institution, as explained in my letter to the Superintendent of March 23, 1934, that an arrangement of some kind was made with Dr. Charlesworth to keep me here as long as possible. The principal reason for holding me now is because Dr. Charlesworth knows I am going to ask for an explanation of my long detention; another is because I have communicated with you and others on the advice of my attorney. I am being penalized for trying to protect my wife and myself in a proper manner. Dr. Charlesworth has made a terrible blunder of my case and is trying to punish me in this unlawful and unjust way. It is the most despicable and contemptible thing that could be done. It is not a question of insanity or treatments. It is a mean, purely personal, advantage taken because of his authority as Assistant Superintendent; it is directly contrary to the law governing his position. As Judge Church has written me, “he is enjoined by the law to discharge you.”

I realize that these are more or less serious charges; I have proofs of all. I protest against one man having the entire say in this matter; the other members of the medical staff know nothing of my condition. Keeping me here is a disgrace to the medical profession and a disgrace to the State by an employee who is employed to give reasonable protection and justice to a patient. Right now my wife is in bed and has required nursing care day and night for over two months. I could be of great help and should be home. Keeping me here forcibly is not only unjust, unlawful, false imprisonment, but is criminal indifference and persecution.

I would like to get these facts before Dr. Scanland if he is well enough to consider them. Can you ask Dr. Scanland

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to give me a hearing? The conference is primarily for a patient to answer questions and he is not allowed to say much. I could explain my case personally to Dr. Scanland so he would know the important part of it — and I can't for the life of me see any objection to that and why I am not entitled to it. The whole procedure covering my case is so "almost impossible" that I don't believe any doctor here except Dr. Charlesworth knows the details.

Will you please help me in some way? Can you have it arranged so I can go to my home in Oakland? My wife wants me home at once; she is helpless to make any effort but has sent word twice. My son is apparently too bewildered to know what he is doing, altho he is doing nothing. My wife is in such condition that they expect her to pass away at any time and they keep me here doing nothing. Surely there must be some reasonable and sensible way of handling a matter of this kind.

Can you write to Dr. Scanland to look into this for me at once?

Before I mail this I want to add that I am a perfectly normal man, mentally and physically. I am needed badly at home and if Dr. Charlesworth were a normal man he would send me home at once. I don't think he is a normal man and I am very sure he should not be in a position of authority where he can wreck a man's life. I don't consider him competent medically or from any other standpoint; he has been an abject failure with my affairs. I firmly believe he profits in some personal way by keeping me here from what I have been told. This opinion is about the same as that of several of the employees here.

Thanking you, I am,

Respectfully yours,
Luther Osborne.

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Imola, Calif., July 20, 1936.

Director of Institutions,

from: Luther Osborne,

of the State of California,
Sacramento, California.

Napa State Hospital,
Imola, California.

Dear Sir:

With further reference to my letter to you of July 15, 1936, I received word of the death of my wife on July 16th, the day after I mailed the letter to you.

I received a letter from my wife dated December 22, 1935, which reached me December 27th, telling me she was sick and had been in bed ten days with neuritis; I made application at this time to go home.

I received another letter from her on January 25, 1936, which was dated January 20th, in which she wrote she was still sick and had x-rays taken.

I had been given a conference January 21, 1936, and my leave was denied.

Another letter was received March 2, 1936, in which she wrote she was back home, with a Miss Craddock helping her; this was her last letter.

On March 16, 1936, my wife's brother called on me and told me how badly I was needed at home and that my wife was worse. I made application for my discharge on that day, a copy of which I mailed to you July 15th.

During April, 1936, I heard through friends that my wife was still sick and saw her brother twice.

During May heard more through friends and on May 18th telephoned to my son's house and learned that my wife had been taken to a hospital.

During June heard my wife was still sick and in bed and on July 4th my son wrote me that she was very sick, requiring nursing care day and night, and I made another application to the Superintendent July 5th, a copy of which I mailed you.

Wrote to my son July 5th and July 10th, asking him to come for me and on July 16th received a letter from him that my wife had passed away on July 12th and that the funeral would be held July 14th.

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I don't know how I could have been treated worse in this whole matter — and my wife was given no consideration at all. She was made decidedly worse by the rotten handling of my case and Dr. Charlesworth is a potential murderer, if he doesn't know it. He has practically ruined the few years of life I have left, and others here are in a similar condition.

I hope you can help me in some way. And all I want is to get away from the place.

Respectfully yours,
Luther Osborne.

Imola, Calif., July 20, 1936.

Dear Bill:

I am unable to write you how I feel this morning.

Will you please leave everything at home in just about the way Mamma left it? I would like to go over the things there before anything is done with them, and" I don't suppose there will be anyone there for a time; I hope and expect to be there very soon.

Your letter dated July 13th was postmarked July 14th and I received it July 16th. That, of course, was after the funeral was over.

You wrote that you would write me more details later.

Love to all,
L. O.

Imola, Calif., July 25, 1936.

Dear Bill:

This is Saturday morning and I have been sitting out in the woods a couple of hours thinking about my experience here and Mamma's death — and it seems almost impossible. It is hard to understand how we could get in the position we are in today, and it just don't make ordinary sense. I have never felt so bad in my life.

Love to all,
L. O.

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Imola, Calif., July 27, 1936.

Dear Mr. Smith:

When I wrote you in February, I thought then that within a week or two I would be out of this place, but it has been over five months and I am still here. I want to write again that I am more than ever convinced that this institution, as managed during my time here, is the worst disgrace to the state that exists.

I had a splendid attorney who was doing fine; he was taken seriously ill and died in November, 1935, after they had taken him to Arizona. I have another attorney and have been working with him over six months; I am still unable to get out.

This all sounds so absurd that you probably don't understand how it is possible, and most people don't believe it — they don't believe it because they don't believe it can exist. There are men here that I know personally are not insane and they have been kept here twice as long as I have — and I have been kept here over four years. It's the

worst condition that you can imagine, and it concerns everybody. My commitment to this hospital was a frameup and brought about by Hamilton, whom I had worked with for 35 years. I was “railroaded” here through influence and conspiracy and have been kept here all these years practically by a form of bribery and graft.

The enclosed letters will partly explain the “rotten” way they have handled my case. My wife died July 12, 1936, and I hadn’t seen her for over a year and a half; they wouldn’t even answer my request for leave to go home when they knew she was dying.

Sincerely yours,
Lou Osborne,

Imola, Calif., August 3, 1936.

Walter Rapaport, M.D.,
Napa State Hospital,
Imola, California.

from: Luther Osborne,
Napa State Hospital,
Imola, California.

Dear Dr. Rapaport:

Enclosed you will find a copy of the last letter from my son, dated July 13th, which I received July 16th; my wife

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died July 12th and the funeral was held July 14th. Also enclosed is a copy of my letter to my son dated July 25th. I am also enclosing a copy of my letter to the Medical Superintendent dated March 16th, as having a bearing on today’s application for my discharge.

I am a perfectly normal man, mentally and physically, and needed badly at home.

Will you please arrange whatever is necessary for my release and write to my son to come for me?

Respectfully yours,
Luther Osborne.

Imola, Calif., August 6, 1936.

Dear Dr. Rapaport:

While this is a more or less personal letter I regret to include so many family matters, but the nature of my case makes it almost impossible to do otherwise; my effort is to present everything clearly.

My wife's brother called on me last Monday and that afternoon I telephoned to my son, as I told you Tuesday morning. My brother-in-law blames Dr. Charlesworth and my son for my wife's early death and the strain she has been kept under the last four years; he knows the details of my case. The last time I saw my wife was on December 17, 1934, when she came up to see Dr. Charlesworth about taking me home. He told her I could not go, that she could not sign for me, that I would have my teeth fixed in Napa or not at all, etc.; she left him crying and all broken up and I wrote of that in my statement dated January 22, 1935, that I sent to Superintendent C. A. Johnson. I had been here then over three years.

While my son, Bill, was not responsible for the frame-up against me, he permitted it and induced my son, Ray, who was working for him, to sign the complaint against his wishes. My son has made a failure of taking care of my affairs and is trying to keep me here as long as he can; I think he is probably influenced by Dr. Charlesworth's advice. If I had been allowed to take the leave that was granted me in December, 1932, I could have saved the total loss of a restaurant business in San Francisco,

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established ten years, and the subsequent monthly loss of over \$200 since that time. I have never seen any accounting of my interests since coming here and no one else could understand the correctness of any such accounting that may have been filed with the court. Bill told me that Dr. Charlesworth had advised him not to show me any accounting.

I do not believe there are any valid objections to my discharge. I know that Bill could have arranged for my release long ago and contend that his objections should not keep me here, with its attendant losses and other disadvantages.

I am enclosing a copy of my letter to the Director of Institutions dated July 20, 1936, and a copy of his reply of July 21, 1936.

Thanking you for your consideration, I am

Respectfully yours,
Luther Osborne.

Imola, Calif., August 15, 1936.

Walter Rapaport, M.D.,
Napa State Hospital,
Imola, California.

from: Luther Osborne,
Napa State Hospital,
Imola, California.

Dear Dr. Rapaport:

With reference to our conversation at the ward last Wednesday morning, I want to make some things clear that we discussed.

Since coming here in October, 1931, I have worked with three ward doctors — Dr. Charlesworth, Dr. B. M. Johnson, and yourself. In December, 1932, I was granted a leave of absence by the unanimous consent of the ten or more members of the medical staff. The only doctor here that I knew at that time was Dr. Charlesworth, whom I had seen three times; I started work at the dairy in December, 1931, and have been working there steadily and continuously since that time.

You spoke about the ten or more members of the medical board passing judgment on a patient's recovery. This practice has a value, no doubt, but in many cases the individual doctors know nothing about the case and have to depend altogether on the ward doctor of the patient involved. I have seen Dr. Charlesworth three times in

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the last two years and then for five minutes — (when I was transferred to the Francis Cottage, May 12, 1934; when transferred to Ward G, July 24, 1934, and when I was transferred back to the Francis Cottage two weeks later). During the nearly five years I've been here I haven't seen him more than a dozen times, for a few minutes and always about my release. From any standpoint I don't see how Dr. Charlesworth can know anything about my case that requires any personal contact or observation, but he has kept me here for years and blocked every effort I have made to obtain my release; personal contact or observation is certainly important and essential for the cases here.

After I was granted leave in December, 1932, and was all packed and ready to go, I learned that my son had refused to sign my leave of absence agreement and I was not allowed to leave. My son advised me that Dr. Charlesworth had told him not to sign for me.

During 1933, Mr. J. J. Kelly, a friend I had worked with for 35 years in the Customs Service, came here a dozen times or more, saw the doctors three times about my release and was instructed as to the application for my leave. Dr. Maddux told him that I was entitled to my leave of absence, that it had been granted, and that he could take me out. He complied with every requirement and suggestion and made a formal application for my leave, which is on file in the hospital records. Mr. Kelly later received a letter from Dr. Charlesworth that my leave had been denied because my folks did not know him very well.

During January and February, 1934, I had talks with Dr. B. M. Johnson, who advised me to write to the Superintendent about my case; I did this and delivered it to him February 19, 1934. During March I had further talks with Dr. Johnson and I am enclosing copies of letters to him dated March 3 and March 23, 1934. Dr. Johnson told me that he would recommend a leave of absence for me and later told me that Dr. Charlesworth had opposed it, although he was in favor of it. On May 9, 1934, I made another application for leave and enclose a copy of my letter to Dr. Johnson of that date. On May 12, 1934, I was transferred to the Francis Cottage by Dr. Charlesworth,

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as I was told by Dr. Johnson. On July 24, 1934, I made another application and on the same day was transferred to Ward G by Dr. Charlesworth.

After Dr. C. A. Johnson had been appointed Superintendent I met him once at the Infirmary where he asked me about my case. He stopped my treatments and transferred me to the P. C. Cottage; later I wrote him several letters. My attorney saw Dr. C. A. Johnson during the last part of July or the first part of August, 1935, and Dr. Johnson told him that I would probably be discharged shortly; I am enclosing a copy of my letter to Dr. C. A. Johnson, dated July 29, 1935. That was the last trip here of my attorney as he was taken seriously ill and sent to Arizona.

As to my son, I don't understand why he should be considered in connection with my discharge; that seems to be a matter strictly between the doctors here and myself. I claim that I am a perfectly normal, sane man in every way and entitled to my discharge; my son cannot help in this matter in any way.

With respect to matters that do involve my son, two friends of mine in Oakland have been keeping a check on the vacancies and rentals of my Oakland apartments and flats and checking up with what has been filed with the court. They are at great variance with what has been filed by my son, for the amount received as income from my places.

There are many reasons why it is so important for me to go home and it will be as much of a help and protection for my son as for me. Over two years ago I wrote in my letter to Dr. B. M. Johnson of March 23, 1934, of this, and the losses have occurred and are getting worse. My son cannot take care of my affairs and is not taking care of them. With my help and experience everything can be properly handled, and that is surely the only way to settle my case.

Will you please work out a decision on this matter as soon as you can, as the time element is very important.

Thanking you for your consideration, I am

Respectfully yours,
Luther Osborne.

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Imola, Calif., September 3, 1936.

Walter Rapaport, M.D.,
Napa State Hospital,
Imola, California.

from: Luther Osborne,
Napa State Hospital,
Imola, California.

Dear Dr. Rapaport:

Enclosed you will find a letter to the Superintendent which is an application for my release. Will you please take it up with Dr. Scanland?

Will you please advise him of other details of my case that may occur to you or that I have written you about, that he may be familiar with the important ones?

I have not written you all the details of the handling of my affairs by my son, and for obvious reasons the friends who have checked up many matters cannot come here to discuss it. The matter cannot be handled properly until I am home, and delay will only make the whole thing worse. If you have any desire to help my son or myself, or, in fact, to handle my case for the best interests of everybody concerned, please try to send me home as soon as it can be done.

Thanking you for your consideration and assuring you of any further information or details that I can give you, I am

Respectfully yours,
Luther Osborne.

Imola, Calif., September 3, 1936.

J. M. Scanland, M.D.,
Medical Superintendent,
Napa State Hospital,
Imola, California.

from: Luther Osborne,
Napa State Hospital,
Imola, California.

Dear Dr. Scanland:

I respectfully request that I be given my release as soon as it can be arranged. My reasons for this request are important and urgent and I earnestly ask your consideration and decision.

I have been here nearly five years; since October, 1931. I am in fine condition and a perfectly normal man, mentally and physically, and nothing whatever can be gained for anyone by keeping me here longer.

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My release will be a protection to my son, who is handling my affairs and whose continued management without my help will get him into trouble and increase the losses. Some of his methods are on the borderline of criminal procedure, which I can change by being at home — to his satisfaction and peace of mind, and without friction or trouble. He will not make application for my release, which is the only reason I am kept here, and I am trying to protect him from his own mismanagement.

I have explained heavy losses sustained in former letters and since the death of my wife in July they have increased; my home in Oakland will be vacant until I am released and this means an added loss to the amount I am losing steadily by being kept

from my work. I have lost a valuable business in San Francisco, substantial losses to my apartments and flats in Oakland; and more than \$200 monthly in salary and business losses every month I am kept here.

In addition to the above, I think it is increasingly important that I have the necessary dental work I need so badly, done at once.

Will you please arrange for my release under any reasonable conditions, as a matter of simple justice.

Respectfully yours,
Luther Osborne.

Imola, Calif., September 10, 1936.

Walter Rapaport, M.D.,
Napa State Hospital,
Imola, California.

from: Luther Osborne,
Napa State Hospital,
Imola, California.

Dear Dr. Rapaport:

As I have written in the enclosed letter to Dr. Scanland; which I respectfully request that you deliver to him, I had a talk with my son this afternoon and he said he would come and get me as soon as he heard from the Superintendent.

He said he would not write, but would come at once as soon as he was told that he could take me home.

Will you please see if this word can be sent to him?

Respectfully yours,
Luther Osborne.

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Imola, Calif., September 10, 1936.

J. M. Scanland, M.D.,
Medical Superintendent,
Napa State Hospital,
Imola, California.

from: Luther Osborne,
Napa State Hospital,
Imola, California.

Dear Dr. Scanland:

During my talk with Dr. Rapaport yesterday morning he suggested that I communicate with my son about writing to you for my release and I had intended to do

so today, but my wife's brother came up today and suggested that I telephone to my son, which I did this afternoon.

My son told me that he would not write, but that as soon as he heard from you that he could take me home, he would come at once and get me.

Will you please advise him that he can come for me, as I have requested in my former letters?

Thanking you, I am

Respectfully yours,
Luther Osborne.

For several years I had been writing a great many letters in the effort to obtain n release, and the copies of letters shown in this story are probably less than half the tot number of letters written during my years in that place; it was decided to eliminate many as possible because of the length of the story.

We had worked particularly hard during the summer months of 1936 and tv months after the death of my wife, my brother-in-law was ordered north and wrote tl following letter to the Superintendent on September 28, 1936;

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Napa, Calif., September 28, 1936.

Dr. J. M. Scanland, Superintendent,
Napa State Hospital,
Imola, California.

Dear Doctor:

There is a patient in the Napa State Hospital that I am interested in. His name is Luther Osborne and he is my brother-in-law. I have known him since 1895, the year he married my sister, and he has been the best friend I have ever had. I have been away for some years and when I learned of his trouble, returned here. I am a traveling salesman with territory now on the Pacific Coast and have been carefully investigating his case. When I am in this section my address will be Mr. Osborne's home address in Oakland, California. While traveling I will not have a known address in advance.

I have spent a large part of today with Mr. Osborne. I am familiar with the efforts he has been making to obtain his release and enclose a copy of his last letter, dated September 28, 1936, the original he will give to his ward doctor.

Mr. Osborne has been "framed." That need not necessarily concern the hospital authorities. What is important is his release. He has an open record for 40 years of his

life in San Francisco and Oakland. The charge of insanity is absurd.

I respectfully request that Mr. Osborne be given his release at once. He is perfectly able to take care of his own affairs in every way and is entitled to full clearance.

I am leaving today for a trip into the northern part of the state which will probably take two or three weeks. If Mr. Osborne has not been released at the time of my return, I shall take the case to court at once.

I am doing this without consulting Mr. Osborne but shall send him a copy of this letter and send a copy to the Director of Institutions at Sacramento.

Requesting your cooperation, I am

Sincerely yours,
Frank Finch.

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Imola, Calif., September 29, 1936.

Dr. Walter Rapaport,
Napa State Hospital,
Imola, California.

from: Luther Osborne,
Napa State Hospital,
Imola, California.

Dear Dr. Rapaport:

Enclosed you will find my letter to Dr. Scanland, dated September 28, 1936, that I wrote yesterday; a copy of a letter from the Director of Institutions to me, dated July 16, 1936, that goes with it, and a copy of a letter my wife's brother, Frank Finch, wrote to Dr. Scanland, dated September 28, 1936, that he sent to me, and I am sending it to you for your information.

Will you please take these matters up with Dr. Scanland and see if you can make some arrangement for me to get home?

My brother-in-law has put in a great deal of time on my case and says it is very important that I should be looking after my interests at once. The only way I can do this is by being at home, and I can do it without trouble, to the benefit of everybody connected with my affairs. Delay is what my son is working for, and it is the worst possible thing for both of us — and delay will make it doubly hard for me to straighten things out.

Thanking you for your interest and help,

Respectfully yours,
Luther Osborne.

Imola, Calif., September 28, 1936.

J. M . Scanland, M.D.,
Medical Superintendent,
Napa State Hospital,
Imola, California.

from: Luther Osborne,
Napa State Hospital,
Imola, California.

Dear Dr. Scanland:

I respectfully request that you send a recommendation in my case to the Director of Institutions at Sacramento, in accordance with his letter to me of July 16, 1936; a copy of this letter is enclosed.

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I had hoped to obtain my release without taking up this matter with Mr. Lutgens again, but infer from his letter that he will act on my case with your recommendation.

Referring to my letter to you of September 3, 1936, I want to repeat that it is very important that I be allowed to go home. I have received further reports as to my son's handling of my affairs and a correction cannot be made until I am there to direct it. No one understands these things but my son and myself and nobody else can understand it. His first accounting to the court was much delayed and incomplete, and his later annual reports are not correct.

I have worked 40 years to acquire a modest fortune and want to go home and save what is left of it. I also have a 36-year record of steady, continuous and faithful service with the U. S. Customs Service at San Francisco, which Service is paying my son \$100 monthly as my retirement payment while I am here.

I understand my release is awaiting action by my son and I want to assure you again that for the best interests of everybody concerned I should be allowed to go home at once.

Thanking you for your consideration, I am

Respectfully yours,
Luther Osborne.

Imola, Calif., October 4, 1936.

Dear Frank:

Will write you today about the first thing I have heard about your letter to the Superintendent.

On Friday morning, October 2, 1936, Dr. Scanland came into the office at the dairy with another gentleman. He introduced this man to me very hurriedly and I could not catch his name, but gathered from the talk that followed that he had come from the office of the Director of Institutions in Sacramento.

Dr. Scanland told me he had received a copy of a letter written to him by Frank Finch; this copy had been sent to the Director of Institutions at Sacramento. He said he had not received the original copy that should have come to him. I heard today that he had received it.

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Dr. Scanland then asked me if I could give him Mr. Finch's address. I said the only address I could give him was at my own home in Oakland, where Mr. Finch would be when he was in this part of the state. I told him that Mr. Finch called on me September 28, 1936, and told me he was going through the northern part of the state on his selling route, expected to be gone a few weeks and would write me later. That he also wrote a letter to Dr. Scanland that day at the dairy and gave me a copy of it.

Dr. Scanland then asked me how I was and how I was getting along with my work. During this talk he said that he understood that I was very sick when I arrived at the Napa State Hospital. When I seemed a little amazed and incredulous, he asked me if I had been sick at that time, and I replied that I had not been sick a day, unless the malaria treatment was called sickness. I also told him I was a perfectly normal man in every way.

He replied: "Well, yes. Come in and see me when you hear from Mr. Finch." He was at the office about 15 or 20 minutes.

Dr. Scanland also said to me during this talk that since the death of my wife, I probably did not have any home to go to. He didn't say anything about my being held here for years before she died in spite of her requests for my release. And, of course, my home was there as tangible as it ever was — and that home was established 39 years ago. This illustrates some of the useless, pointless and positively asinine reasons advanced for holding patients here.

During my five years here I have seen one doctor at this hospital, medically, one time, and then not for more than ten minutes. That was Dr. Chappel at the infirmary, who called at my bedside when my malaria treatment was over and told me I could be transferred to a ward and to work. During all my time at the infirmary I saw only the attendants, and since December, 1931, I have never seen any doctor here about anything except to try and make arrangements to get home — and I've been here five long years — read that and weep.

With best wishes,
Lou.

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About a month after my application was sent in September 28, 1936, I was offered job on a ranch adjoining the hospital grounds, where I would have a room and live like a human being. I could also have my teeth and gums taken care of in Napa, and every way live a more normal life.

This was fully explained to the doctors, but was completely ignored and finally blocked altogether.

Imola, Calif., October 20, 1936.

J. M. Scanland, M.D.,
Medical Superintendent,
Napa State Hospital,
Imola, California.

Dear Dr. Scanland:

I respectfully request that a leave of absence be granted me that I may accept a place on a ranch which adjoins the hospital grounds; one of the men left last week and I can fill his place.

The work will be altogether desirable for me and I will be available at any time. A call from the office would reach me immediately and I could break in whoever would do my work at the dairy if necessary.

Thanking you for your consideration, I am

Respectfully yours,
Luther Osborne.

Imola, Calif., October 26, 1936.

Walter Rapaport, M.D.
Napa State Hospital,
Imola, California.

Dear Dr. Rapaport:

On October 2, 1936, Dr. Scanland and a gentleman I understood, him to say was from Sacramento, called on me at the dairy. He asked me where he could write to my brother-in-law, Mr. Finch, about my case. I told him

I would let him know as soon as I heard from Mr. Finch, which is the reason for writing the letter to Dr. Scanland, which I enclose; will you please give this to him and ask him if I may take the position at the ranch which is now open for me?

During my talk with Dr. Scanland he asked me how I was getting along, and I told him I was very sure that I was a perfectly normal man in every way. He replied: "Well, yes. Come in and see me when you hear from Mr. Finch." I suppose this letter will answer the purpose, but I would be more than pleased if I can give him any other information.

Will you please do what you can for me about accepting this position on the ranch? If I can take the place I can start on my teeth at once. Under my present living conditions I cannot have my teeth all out and be comfortable a minute. At the ranch I will have a room and the proper liquid foods that I will need during this period. My work will be outside, lawn work, taking care of birds and chickens, and working around the buildings.

Thanking you, I am

Respectfully yours,
Luther Osborne.

Imola, Calif., October 26, 1936.

J. M. Scanland, M.D.,
Medical Superintendent,
Napa State Hospital,
Imola, California.

Dear Dr. Scanland:

With reference to your call on me at the dairy with a gentleman from Sacramento on October 2, 1936, and your inquiry about my brother-in-law, Mr. Finch. I received word yesterday that he was ordered to Oregon at the conclusion of his Northern California trip and that he may have to go into the state of Washington before he returns. He did not know what date he would be back but thought it would be within a month and would depend upon orders from his home office.

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With further reference to my letter to you of October 20, 1936, requesting a leave of absence to accept a position on a ranch, I want to add that I can have my dental work done in Napa if I can take this place, as I can have the right living conditions there during the months that I will be without any teeth.

On account of the condition of my teeth and gums I would greatly appreciate it if I could make this change some time this week.

Thanking you for your consideration, I am

Respectfully yours,
Luther Osborne.

Imola, Calif., October 27, 1936.

Dear Bill:

Heard this morning that I can probably take a job on a ranch that adjoins the hospital grounds here, and if I can, will have my teeth fixed in Napa, as my living conditions will be changed. I will have a room to myself and can have the liquid food I will need during the months I will be without any teeth at all.

Please do not pay the hospital here any more until I write you again. I have learned a good deal about this; I am handling a good job here that would cost them money otherwise. Anyway, if I take this job I will probably start next week. Will write you more about this and about having my teeth fixed in Napa.

L. O.

Imola, Calif., November 5, 1936

Director of Institutions,
State-of California,
Sacramento, California.

from: Luther Osborne,
Napa State Hospital,
Imola, California.

Dear Sir:

This letter will acknowledge with thanks receipt of your letter to me of October 6, 1936. Your letter states:

“As soon as the staff of the Napa State Hospital decides that you are sufficiently well, this Department will be pleased to sign your release.”

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On October 7, 1936, I was given a home-going conference and was later advised that my leave had been denied. I do not know how they decide these matters. Dr. Scanland was not present at this conference; Dr. Charlesworth presided.

Dr. Charlesworth is still blocking my leave of absence and he is really alone in his objection; apparently I can never get the unanimous consent of the medical staff of which he is a member. How anyone can assume that I will improve in any way by staying here longer is hard to understand and I know that nobody believes that. Dr.

Charlesworth is preventing my release to justify his handling of my case. He told my wife when she called on him December 17, 1934, that when I was through with my treatments I could go home; I have been through with them for more than a year and am still kept here.

I have been trying to make arrangements since my last conference to have my dental work done in Napa, and secured a place on a ranch adjoining the hospital grounds. I am enclosing copies of two letters to Dr. Scanland and one letter to Dr. Rapaport about the place. This was denied me also, although I would be within five minutes call at any time, and my living conditions would be arranged so that I could have my teeth fixed without the hardship I would have here.

This seems so little to ask for, that I am more than ever puzzled that this condition can exist. It seems almost a planned persecution and an effort to make me break under the strain. There is not one good reason for keeping me here, and my son will do nothing. He is collecting rentals from my Oakland property and \$100 monthly from my Federal Government retirement.

I am 66 years old this year and should not be forced to spend more time in this place. There is no physical, mental or financial reason why I should not be allowed to protect my own health, especially after my five years in this institution. Since my wife's death my home has been vacant, and it will continue to be vacant until I am allowed to go home.

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Have heard from my brother-in-law, who is now in Oregon, and that is explained in my letter to Dr. Scanland of October 26, 1936. I have written him that I think it is an outrage if we have to take my case to court and that every attorney that I have talked with has told me a court order could be secured for my release. I still think it should not be necessary and I am sure it would not be right if we should have to do it. My brother-in-law says that Dr. Charlesworth and my son are responsible for my wife's early death, and for four years of unnecessary strain and misery for us both. He also says if they can kill me off, they will do it — so you can imagine how he feels about it.

I have had a thorough examination by two outside doctors whose findings and diagnosis differ widely with Dr. Charlesworth. In fact, they say that in "some respects he doesn't know what he is talking about." Dr. Charlesworth has never given me an examination and the only thing important he can know of my case is the results of the various tests. Yet he has kept me here five years under depressing, distressing, unnecessary and, at times, insulting conditions. Four of these years, since I was granted a leave of absence in December, 1932, to my great disadvantage, both from a health standpoint and one of common justice and decency. It has been a violation of constitutional rights and absolutely unlawful under our own state laws, I am advised. My continued good health every day I have spent here should mean something, and it is possible that my past 40-year record may be more creditable and worth-while than his own.

Will you please write to Dr. Scanland about my going home?

It has been a month since my conference. My conviction is that it would be a favor to Dr. Scanland if he were advised of some of the details of my case that he knows nothing of.

Respectfully yours,
Luther Osborne.

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Imola, Calif., November 7, 1936.

Dear Frank:

After writing you a short note yesterday, I made some memos that will answer for today's letter. It is somewhat of a relief to write you and I hope some of this stuff will help in your correspondence with Johnson.

The stigma of the charge of insanity is very real. The forceful detention of sane persons in the state hospitals for an indefinite period of time is as bad or worse than the charge itself — and this is actually done in some cases for years.

The conditions surrounding every case are, naturally, to the disadvantage of the patient — the mere charge of insanity alone placing everyone accused under suspicion at once. It is given the prominence of a court commitment to a state insane asylum, the news is published or given to the world and the stigma or disgrace is an established fact.

The charges may be the result of a grudge, conspiracy or intoxication. In some cases it may be a case of sickness not understood, or it may be a frame-up. When a citizen is unjustly accused and committed to a state hospital on unproven charges, irreparable damage has been done, and in some respects the victim will always feel the effects.

The policy, or the tendency, of the doctors and authorities is to side-in with, or carry out the wishes of relatives or associates of patients, regardless of the justice of this procedure. In some cases the interests of the patients are not considered at all and simple justice is denied them.

The requirement that some person must sign an agreement to secure the release of a patient is sometimes unjust; it is enforced in some cases and not in others. It is an evasion of responsibility on the part of the executives when a patient is in the proper condition to be released.

What is said to be a reasonable estimate of the number of persons committed to insane asylums in this state who should never have been committed, is almost unbelievable. The total number of sane persons held in these institutions is staggering and the percentage is, of course, a varying one. People over 60 years of age, and

sometimes younger, are sent here to get rid of them, and kept in these asylums indefinitely because someone outside wants them kept here.

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Old people without means who should be on relief or in homes for the aged, are kept for years as insane when they are mentally brighter than the people taking care of them. And there are many kept for years who are mentally and physically more capable than the doctors and employees who control them, because they are capable workers and the labor cost of these patients is only their maintenance. It is actual slavery in many cases and a flagrant violation of federal law and the U. S. Constitution, as well as of our own state laws.

Will write you more of this if you can use it, but hope it won't get tiresome.

With all good wishes,

Sincerely,
Lou.

Imola, Calif., November 8, 1936.

Dear Mr. Johnson:

Have just finished a letter to Frank and, as, he suggests, am writing you on the matters he suggested in his last letter to me. Will enclose a copy of my letter to him, dated November 7, 1936.

What Frank would like to have explained is the line of reasoning followed by the medical staff which has resulted in holding me practically as a prisoner for five years in this institution, at a heavy financial loss, the absolute wrecking of important business interests, a drain on my physical health and the probable shortening of my life. The decisions that have kept me here have been made by Dr. Charlesworth, who was my ward doctor most of the time and the Assistant Superintendent all of the time.

I was sent here in October, 1931. In December, 1932, I was granted a leave of absence by the medical staff, although Dr. Charlesworth was the only doctor who knew anything about my case from personal contact and observation. I was not allowed to leave the institution after my leave was granted because of the technicality that my son refused to sign my leave of absence agreement, although he stated he refused to sign upon the advice of Dr. Charlesworth.

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In 1933, Dr. Maddux told my friend, Mr. J. J. Kelly, who made application for my release, that I was entitled to my leave of absence and outlined the necessary steps to be taken. These were all properly completed and complied with by Mr. Kelly, but my release was denied by Dr. Charlesworth upon his return. In 1934, Dr. B. M. Johnson,

my ward doctor at that time, told me he favored granting me a leave and told me to write to the Superintendent, which I did, but this was refused.

From the standpoint of the ages of some of the patients, there is much to be said in criticism of the practice and procedure here — both from the medical and the humanitarian point of view. Where there are large numbers of patients of 60 years and over, without means or friends to help, it may be almost impossible to do the very best for them, but the present system could be greatly improved. When these patients have means and are perfectly sane, it is criminally reprehensible to use the usual methods that are characteristic of this institution. As written above, in my case, I was granted a leave of absence in December, 1932. Because of some technical requirement which my son would not comply with, I have been forcibly held here for five years. And anyone who ever had a good home would know what mental torture that means — and without any possible good reason for it.

The methods and, practices are worse than contemptible and unlawful; they are contrary to all the dictates of common decency and fair play.

Will get this in today's mail and write you more tomorrow or next day.

Sincerely,
Lou Osborne.

Imola, Calif., November 12, 1936.

Dear Bill:

Have heard from Frank and have another attorney. Hope I have better luck with this one, although the others would have had me out of here long ago if I could have used some of my own money for costs and expenses.

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He suggests that I send you a copy of the 4th Amendment to the Constitution of the United States, which is also a section of the Bill of Rights. It is also, word for word, Section 19 of Article I, of the Constitution of the State of California. It is as follows:

“The right of the people to be secure in their persons, houses, papers and effects, against unreasonable seizures and searches, shall not be violated; and no warrant shall issue but on probable cause, supported by oath or affirmation, particularly describing the place to be searched and the person and things to be seized.”

He also suggests Section 1, Article I, of the Constitution of the State of California, which is:

“Section 1. All men are by nature free and independent, and have certain inalienable rights, among which are those of enjoying and defending life and liberty; acquiring, possessing and protecting property; and pursuing and obtaining safety and happiness.”

And I find this notation on his memo: And the Supreme Court of the United States has stated “that the United States Constitution sets up certain rights for the individual citizen in every state, which neither Congress, nor the States, nor the Courts, nor any officials have the right to violate.”

He says you are probably not altogether familiar with the bearing this has on my case and to suggest that you give it some thought. Probably Dr. Charlesworth never heard of the above or ever read the Constitution. I would also suggest that you read over some, or all, of the letters I have written to you during the last two or three years.

The chance to take the job on the ranch here has been denied me — as I expected. It is still open as I saw the man yesterday, but if I can get home, it will be better; it was turned down a month ago, I guess.

I have had a thorough examination by two outside doctors — again. It confirms the one I had over a year ago and these doctors don’t understand why I am kept here. They say about Dr. Charlesworth, “in some respects he doesn’t know what he is talking about.” And his diagnosis is the only one here in my case.

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This whole matter of mine would be a huge joke if it wasn’t so serious and expensive. No doctor in this place knows anything about my condition except what shows on my record of tests — and they are all good.

I know exactly why I am kept here, and you do, too. It isn’t because of my physical, mental or financial condition. It’s because Dr. Charlesworth has the position that enables him to hold me here and he don’t want to be called upon to explain why I have been kept here five years. This is the most contemptible stunt I can imagine, and of course a court would order my release if I could get it to court.

I have two doctors who say there is nothing the matter with me except my teeth — I could get a dozen more. Every doctor here would probably say the same thing if they knew anything about my condition; but they don’t even know me by sight, and have nothing to say and the Assistant Superintendent decides the matter as he wants to. That’s a fine state of affairs — and you fall for it.

It “can happen here,” but it can’t last forever — and the longer it lasts the worse it is for everybody concerned.

Why don’t you get some good doctor to examine me? I’ll pay whatever it costs. You could have me out of here in a week if you wanted to — and you could soon learn just what condition I’m in.

The whole thing is nothing but a racket as far as the sane patients are concerned. What good it can do you, for me to spend the hundreds of dollars that it will cost me to get my case to court, I can’t imagine. With Frank’s help, maybe I can get a court order, but I will have to repay every dollar spent on my case, of course, and I don’t see that it will be anything but discreditable to both you and the institution.

Love to all,
L. O.

P. S. — 1:00 p. m. November 12, 1936.

Wrote this letter this morning, and before I mail it, want to make a direct request to you to write to Dr. J. M. Scanland, Superintendent, about my release and arrange to come up as soon as you can. Dr. Charlesworth is in the infirmary with broken ribs and a broken collar bone

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from an auto accident. Please do something to avoid the long delay and the heavy costs if I have to work through an attorney. I am going on my sixth year here and my teeth need immediate attention.

Please write at once or make some arrangements to get me home before the end of the month. I don't think Dr. Scanland will object at all; in fact, I think he is favorable to my release, but that man, Dr. C., has been able to block it so far and he is absolutely incompetent — and worse than incompetent. He has wrecked more than one man's life here, and he won't wreck mine.

L. O.

Imola, Calif., November 19, 1936.

William R. Osborne,
San Francisco, California.

Dear Bill:

Haven't heard anything from you, of course, about my letter of last week, but I hope you have done something for me. You probably know that where it costs, say \$20 for a medical examination, it will cost \$200 for that testimony in court, and I am trying to avoid that.

It is more and more remarkable what a devil of a job it is here to obtain the ordinary rights that everyone is entitled to. My case was a simple one; a case of blood infection, of which there are thousands outside where there is one here. I was 60 years old when I was sent here, and this after a 40-year record of continuous service in San Francisco. When I reached this institution any doctor should have known within a short time that there was no insanity in my case — and Dr. Charlesworth certainly did. Dr. Charlesworth told Mamma that he was holding me here for treatments, and that as soon as I was through taking them that I could go home. My treatments were stopped over a year ago and I am still kept here.

Discrimination may hardly be the word to describe one phase of the method here because it is not forceful enough;

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but it is discrimination of the worst type. Included is favoritism to those with influence, and in other cases it is rank injustice and open violation of constitutional and human rights. These methods constitute a criminal endangering of the rights of every citizen of the state. If you could see the number of sane, perfectly normal men and women forcibly held here for years, you would understand the lack of simple justice and common decency that prevails in some of these cases. And often they are held because of their free labor value — and to keep the place full of patients.

I have had two thorough examinations by two outside doctors since coming here and they gave me, practically, a clean bill of health. I don't hesitate to write that Dr. C. probably hopes that I will break under the strain; he certainly was an important factor in Mamma's early death. His policy is to hold everybody without influence as long as he possibly can. There is no such thing as a periodical survey of the patients and discharge of those who have recovered or who are not insane.

When one doctor, employed by the state in this institution (one of his important duties being the protection of the patient's interests) and whose salary and living expenses are paid by the taxpayers (one of which I have been for 40 years in this state), can persecute a helpless patient because he has the courage to question and challenge his methods and treatment, it is time something should be done about it. It is a flagrant violation of the state laws under which the institution operates and from which he gets his authority.

I hope it won't be necessary to top my experience here with the biggest bill for costs and expenses I've ever had, in addition to my other losses — and four years of wasted time.

Let's start on a new plan, and get me back where I belong — and you will feel a whole lot better, as well as myself.

Love to all,
L. O.

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Imola, Calif., November 24, 1936.

To the	from: Luther Osborne,
Judge of the Probate Court,	Napa State Hospital,
Oakland, California.	Imola, California.

Dear Sir:

Since my last letter to you I have continued my efforts to obtain my discharge, but with little success. My experience during the last four years has been so unbelievable, and the new developments in my case of such a nature, that I decided to make another

appeal requesting you to see my son, William R. Osborne, about taking me out of this institution.

I would like to write you a few facts as briefly as I can:

I have been kept here over five years. Two doctors and three attorneys say I should never have been sent here.

Dr. Charlesworth, who was my ward doctor at the time, told my wife on December 17, 1934, that as soon as I was through with my treatments I could go home; I have been through with these treatments over a year — and I'm here.

My son could have me released at once.

The Superintendent of this hospital will not discharge me because my son will not make application for my release.

For some time I have had two friends checking up the vacancies in my apartments in Oakland and they tell me that their records do not agree with the accounting that my son has filed with the court, covering money he has received as rental for my apartments and flats.

A friend who I have worked with for over 30 years in the Customs Service has told me that my son had some arrangement with Dr. Charlesworth, the Assistant Superintendent, to keep me here as long as possible. He stated that he had been told that Dr. Charlesworth has profited in some personal way by my long detention here.

I am informed that my son does not file an annual accounting of my affairs; that it is nearer two years. That the inventory filed is not correct and that money that I

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left in my office when I was sent here, has not been accounted for.

Will you please discuss with my son the proposition of bringing me home? I want to go to my own home where I belong and attend to my own business and take care of my own affairs that have been neglected so long — and I am sure no reasonable man will object to that.

I am badly in need of dental work and I think Dr. Scanland will welcome my son's request for my discharge.

Thanking you for your consideration and the help you can give us in this matter, I am

Respectfully yours,
Luther Osborne.

Imola, Calif., December 4, 1936.

Dear Mr. Johnson:

Continuing my letter of December 2nd, when I write you that the opinion or decision of one doctor often determines the number of years a patient is forced to stay

in this institution, I mean just that exactly; it should not be so, but it is so.

For instance, when the word is passed out that a patient's release has been denied by the unanimous decision of the medical staff, it sounds impressive and indicates and infers a thorough understanding of the case by the members. This is rarely true, as the ward doctor is the only member of the medical staff who understands the case, and in many instances he is not well informed as he has a great many cases to handle.

The procedure of the medical staff acting on these cases at conferences and otherwise is good, of course, but it is primarily a protection for the doctor making the decision, which, in some instances, is entirely wrong; in the case of an incompetent doctor making the decision it is sometimes tragic. And when some doctor attempts to settle questions of a business nature or matters not requiring medical knowledge, the result is generally a gross injustice to everybody concerned.

In fact, there are many times that advice from a doctor here about matters he knows nothing about and is incapable of giving counsel, has the opposite effect intended and makes everything worse. There are some whose lives

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have been practically wrecked by this practice, when the subject matter did not concern the doctor at all and was none of his business.

Holding me here is an instance and a flagrant disregard of simple justice. It is a violation of our own state laws and of Amendment 4 and Amendment 8 of the U. S. Constitution, and a violation of Section 2 of Article IV of the Constitution itself; also a violation of Section 1 of Amendment 13 of the Constitution.

What reason on earth can the Medical Staff have for keeping me here for five years? I have been unable to get an official reason from anyone. It has been said that the "unanimous decision of the medical staff" is largely fiction; that there is one-man control of these decisions in some cases and that in many cases the members of the medical staff do not know anything about the patient — that the conference and the "unanimous decision" are for the protection of the doctor who makes the decision and who practically controls what that decision shall be.

It is granted that the doctor's position here is a difficult one for some, because they are not fitted at all for the work involved. And it is also granted that everybody cannot always be satisfied. But it is reasonable to expect and demand that any doctor should know the difference between right and wrong in a clear-cut case, and the selection of those, with the authority these men have, is particularly important.

Some of the employees are careful, intelligent, sympathetic and, altogether desirable. They know that there are inequities, discriminations and terrible injustices, but are powerless to correct them, and in some cases dare not mention them if they want to hold their positions.

Some of the employees who know that the methods used and the conditions that exist are unjust to the patients, do not make any effort to improve matters, but sometimes oppose any effort made to change these practices.

Please advise me if you have anything else in mind that I can write you about.

Yours sincerely,
Lou Osborne.

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Imola, Calif., December 10, 1936.

J. M. Scanland, M.D.,
Medical Superintendent,
Napa State Hospital,
Imola, California.

from: Luther Osborne,
Napa State Hospital,
Imola, California.

Dear Dr. Scanland:

The enclosed copy from a letter Frank Finch wrote me is the last word I have received from him. I am also enclosing copies of a portion of two letters to my son, William, dated November 12 and November 19, 1936. These letters have a bearing on my case and I am in hopes of bringing to your attention some points that have not been brought up.

I am very anxious to obtain permission to go to my home. As a matter of retaining my health I think it is vital for me to live at home where I can be relieved of the constant strain of my life here, and have the dental work done that is so necessary. I am over 66 years old; I have no physical, mental or financial condition that should prevent me from living my natural life in my own home, where I have lived continuously for over 30 years, before coming here.

My five-year record here and my 36-year record in San Francisco and Oakland should convince anyone that my place is home — and if you understood the details of my case you would agree with that fully.

Please accept my assurance that everyone concerned in any way with my affairs will be helped materially by this disposition of my case.

I respectfully request that I be given my discharge or granted a leave of absence.

Thanking you for your consideration, I am

Respectfully yours,
Luther Osborne.

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Imola, Calif., December 17, 1936.

Director of Institutions,
State of California,

from: Luther Osborne,
Napa State Hospital,

Dear Sir:

With further reference to my letters to you with enclosures, dated November 5 and December 10, 1936, I am writing again, as I received word this morning from my brother-in-law, Frank Finch, that I think is important; I wanted to advise you before sending it in to Dr. Scanland.

Since writing me on December 7, 1936, Mr. Finch has seen the attorney he has engaged and has written me of his plans; I have replied to him today and will send him a copy of this letter.

He writes me that the attorney will start proceedings for my release under 1470 of the Probate Code, California statutes. That from his investigation of my case he believes he is warranted in making a charge of a deliberate attempt to deprive me of my rights, my property and my health; that an effort is being made to keep me from knowing anything about my affairs and to keep me under a constant strain from confinement and detention; that this is a violation of my constitutional rights and prevents me from protecting myself.

I do not put the above in the exact words of Mr. Finch as he writes what the attorney says; he uses such terms as an attempt to cause my death, is convinced that my detention, or virtual imprisonment, here, caused my wife's death, and warns me of, what he calls, my own peril. He insists this could not be possible without the help of someone in authority here, and considers the Superintendent primarily responsible for my detention as he could release me, although Dr. Charlesworth is responsible for my long detention. He says further that whatever reason they have for holding me here cannot be in accord with common law. That I have never committed a criminal act in my life; that every important charge against me is a lie; that if I need any medical care at all, I can get it in every

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way better at home than I can here. That he has evidence of an understanding of some kind between Dr. Charlesworth and my son that can be termed a conspiracy and that a deliberate attempt is being made to undermine my health; that upon the death of my wife, I am the only person to prevent my son from securing complete control of the property that I have worked a lifetime to acquire.

My brother-in-law has records that certain rentals from my Oakland property have not been included in the accounts my son has filed with the court, and that my son has not accounted for considerable cash that I left in my office when I was sent here; I have never been given any information of any kind about my own interests since coming here, and in response to my requests my son has told me that Dr. Charlesworth has told him not to give me any information about them.

All these details are put in as reasons why I should be released by the Superintendent. I do not want to spend hundreds of dollars for court costs. Every attorney I have consulted tells me I could be released by a court order, and I think I am entitled to my discharge without any further loss.

Can you help me in getting these facts before Dr. Scanland — or some of them?

I never hear from the letters I send him and any attempt to see him is discouraged. He told me the only time I did see him, that he had not received the letter that Frank Finch wrote him, but received a copy from your office, so I don't know that he reads the letters I send him through the ward doctor.

I am asking my brother-in-law to wait until I can get some definite word from Dr. Scanland.

Thanking you for your consideration, I am

Yours respectfully,
Luther Osborne.

CHAPTER VII

With the coming of the year 1937, and with the terrible events of the year 1936 still in mind, I was more determined than ever to obtain something that resembled simple justice, even if incomplete. It was desperately slow work, with many delays and a great deal of letter writing. We finally carried the case into court on November 8, 1937.



Imola, Calif., January 7, 1937.

Walter Rapaport, M.D.,
Napa State Hospital,
Imola, California.

Dear Dr. Rapaport:

Will you please read the enclosed letters — one original to Dr. Scanland, and one copy to the Director of Institutions?

Will you then please give them to Dr. Scanland with whatever comment you feel you can make for me? Will greatly appreciate your help.

Dr. Scanland said, he would tell me why he was keeping me here, but I have not seen him since his call on me at the dairy and have heard nothing further from him.

Respectfully yours,
Luther Osborne.

Imola, Calif., January 7, 1937.

J. M. Scanland, M.D.,
Medical Superintendent,
Napa State Hospital,
Imola, California.

from: Luther Osborne,
Napa State Hospital,
Imola, California.

Dear Dr. Scanland:

Since my letter to you of December 10, 1936, I have heard from my brother-in-law, Frank Finch, three times and he has instructed me to advise you of his intentions in

accordance with the advice of his attorney. He was in Seattle on New Year's Day and expected to be on his way south this week.

On December 17, 1936, I received instructions from him to advise the Director of Institutions at Sacramento of his plans, which I did by letter on that date. I am enclosing a copy of that letter to the Director of Institutions dated December 17, 1936, as it contains particulars of several of his plans which he has instructed me to advise you of; I have received a reply from the Director of Institutions dated December 22, 1936.

In addition the plans outlined in this letter of December 17th, Mr. Finch has instructed me to advise you that he will make a protest to the Governor in connection with the claim he will file with the State on my behalf, and that these claims will be for \$10.00 per day for every day of my unlawful detention, "if and as decided by the court." In this connection he mentions a ruling by the Attorney General to the Director of Institutions dated June 20, 1935, that a person committed to a state hospital is not adjudged insane until he is so declared by a separate court hearing. He states that holding a sane person in this institution is unlawful and a violation of constitutional rights.

My brother-in-law is very much disappointed because I have not been released and is very bitter about Dr. Charlesworth's treatment of my wife, his sister. He does not believe Dr. Charlesworth is a normal man and blames him and my son for my wife's early death and for nearly four years of unnecessary strain and misery for us both. He is convinced my case has been handled unlawfully and is ready to let a court decision settle it.

I am not in full agreement with my brother-in-law in all details. I do not want to spend the money necessary for a court decision when it should not be necessary — and I will reimburse my brother-in-law for every dollar he spends for me. Three attorneys and two doctors say I should not be kept here and I fully agree with this, and every attorney I have consulted has told me he was very sure the court would order my release. All of these proceedings will be stopped if I am released without further loss.

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This letter is a respectful request that some way be arranged for me to return to my home in Oakland. My affairs are in bad shape and no one but myself can correct them. Maintaining my good health is very important to me and I cannot continue to do that here, but can do it for years at my home. I have a good record of 42 years in California and all important charges in my commitment papers are untrue. I am 66 years old and should not be forced to stay here longer, and I want to repeat that I am a perfectly normal man and have many important matters awaiting my attention.

Will you please arrange for my release under any reasonable conditions or allow me to make arrangements that will be satisfactory to you?

Respectfully yours,
Luther Osborne.

Imola, Calif., January 7, 1937.

Director of Institutions,
State of California,
Sacramento, California.

Dear Sir:

This will acknowledge receipt of your letter of December 22, 1936, and contain a copy of my last letter to Dr. Scanland, dated January 7, 1937. I am also enclosing a copy of a letter I wrote to Mr. Dexter, dated July 29, 1935, my last letter to the Governor's office.

In all my years here I have been unable to get any explanation of why I am being kept here. Dr. Scanland told me he would "tell me later" when I met him with my son September 29, 1936, but I have been unable to get any further information.

Can you tell me why I am being kept here — or what explanation the authorities here give for keeping me here?

It is possible this last letter of mine to Dr. Scanland will bring some information, but others have brought no results.

Respectfully yours,
Luther Osborne.

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Imola, Calif., January 16, 1937.

W. R. Osborne,
San Francisco, California.

Dear Bill:

Thought I would write you again about the last two matters mentioned — not to pay the hospital another dollar and to leave the old home in as nearly the same condition as Mamma left it, as is possible.

After over five years of high-class work, and hard work, for this institution, *for nothing* (with accommodations poorer than would be furnished a \$20.00-per-month ranch hand — with the insulting routine, restrictions, requirements and conditions that constitute a designed mental torture for the purpose of making a patient break down — and other illegal, unlawful and vile practices and treatment not necessary to write about now) that they expect payment from such a patient is about the limit imaginable. Very few pay, and, of course, they could not collect through the courts, in many cases.

I expect to be home very soon, and I expect to get a complete discharge from this place — if some part of the management has still a spark of decency and intelligence left. If I have to take less than a complete discharge, I will take what I can get to get home.

There is a great deal of sickness here, mostly influenza, I guess, but I never felt better, with the exception of my teeth — and I wonder they haven't made me feel a lot worse than they have.

Love to all,
L. O.

Imola, Calif., January 19, 1937.

Walter Rapaport, M.D.,
Napa State Hospital,
Imola, California.

Dear Dr. Rapaport:

With reference to my wife's brother, Frank Finch, coming here, he has written me that he will not call on Dr. Scanland. He writes that I can attend to whatever is wanted from him, better than he can himself.

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Mr. Finch expected to leave Seattle within a week or two after the first of the year and I should receive word from him any day. He is expecting me to let him know definitely whether Dr. Scanland will arrange for my release. If I am not released, his attorney will take my case to court and I am trying to avoid that expense. He has already paid two doctors for my examination and their court work will cost considerable.

Will you please take this up again with Dr. Scanland and see if some way cannot be arranged for my release to avoid the costs, delay and trouble of a court action?

Respectfully yours,
Luther Osborne.

Imola, Calif., January 20, 1937.

Director of Institutions,
State of California,
Sacramento, California.

from: Luther Osborne,
Napa State Hospital,
Imola, California.

Dear Sir:

This letter is written because I think it important that you be advised of some of the details of my experience, and the hope that it may help in my release. The handling of some of the cases here is disgraceful, unlawful and vile and would not be tolerated if it were generally known. Our insanity laws are termed the worst in the country by Clarence Darrow, but the administration of these laws should be administered with simple justice.

After writing my letters of January 7, 1937, to you and Dr. Scanland, I left my letter for Dr. Scanland and the copy of my letter to you of December 17th at the ward for Dr. Rapaport. He was taken sick that day and Dr. Charlesworth came to the ward in his place. I heard nothing until January 18th when Dr. Rapaport returned to duty. He told me he had received the letters and to have my wife's brother, Mr. Finch, call on Dr. Scanland. My brother-in-law had already written me that he would not call on Dr. Scanland. I had written him that Dr. Scanland had told me at the dairy he would like to see him, and he wrote: "I will not see Dr. Scanland. If I have my way the only place I will see him is in court. As for Dr. Charlesworth, he ought to be in jail."

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He is very much upset by my case and came up here four times during the month before my wife died, trying to get me home. He tried to see Dr. Scanland at that time but was turned over to others and has a remarkably bad opinion of the place. He believes most of the employees and some of the doctors are high grade; that others are a particular discredit, and still others, a disgrace to the institution and the state. He has had considerable business experience and says that a doctor should not be the head of this institution; that it requires a business executive, which is rarely found among the doctors. One experience was the last trip of my son here last September, in response to a letter from Dr. Rapaport. Dr. Scanland said he could not go over my case then because he was busy with the business manager.

Another thing my brother-in-law writes of in this connection is the suicide of two fellow patients of mine, who were in the same ward with me and with whom I often talked. They bitterly complained of their treatment by Dr. Charlesworth and I suppose this is a matter of public record; one was a Mr. Sprague who threw himself in front of the train here, and the other a "Doc" Burns, who hung himself.

I am expecting to hear from my brother-in-law any day; he wrote he would probably leave Seattle a week or two after the holidays — I should hear from him in Portland. While I cannot get a definite statement from Dr. Scanland that he will not release me, I am still forcibly kept here and suppose I will have to assume that it will be necessary to go to the expense of a court action to get my discharge. My brother-in-law may get some help from the Governor, but I don't know anything further about that yet; he writes that his attorney is confident he can get me \$10.00 a day for every

day I am kept here unlawfully — that is the salary I was receiving when I was “railroaded” to this institution.

I am trying to handle this whole thing in the best and squarest way I possibly can. I consider I have had a terrible deal, if that describes it, and will have to do everything I can to protect the results of my past 42 years, and possibly to save years of my own life.

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I am enclosing copies of three letters to my son and a copy of a letter to Dr. Rapaport, dated January 19, 1937.

Respectfully yours,
Luther Osborne.

Imola, Calif., January 25, 1937.

Director of Institutions,
State of California,
Sacramento, California.

from: Luther Osborne,
Napa State Hospital,
Imola, California.

Dear Sir:

Your letter of January 21st was received today and I will write Mr. Finch to call on you just as soon as he arrives. I am expecting to hear from him every day and thought I would surely get a letter last week. He wrote that he was very busy and he may have written, but I have not received any word from him since he wrote from Seattle. He will make the trip to Sacramento the first thing and I am sure I will get word from him as soon as he knows his definite plans.

I am glad that you have forwarded my letter to Dr. Scanland and am very hopeful that it will result in my release. When Dr. Scanland learns the details of my case, I feel quite sure that is all that will be necessary, and, of course, I am willing and anxious to be of help or assistance in every possible way.

Sincerely yours,
Luther Osborne.

Imola, Calif., February 4, 1937.

Director of Institutions,
State of California,
Sacramento, California.

from: Luther Osborne,
Napa State Hospital,
Imola, California.

Dear Sir:

I received word from my brother-in-law on January 27th; he is still around Seattle and has been doing so much better than expected that he has been kept there. I received another letter this morning and he wrote that he would be kept in the North for some time on account of the loss to the orchard men of southern California by the heavy frost. He writes that the people he does business with in California have lost many millions of dollars by the cold weather in January.

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He writes that it is up to me to tell him what to do about my case; I had written him to wait until I could get definite word from Dr. Scanland that he would not release me.

A paragraph of his letter is as follows:

“Received the copies and sent them to Johnson. He says he believes he can get an indictment against Bill (and W. B. H., if he were living), and maybe the doctor. He may see the people in Sacramento if you say to go ahead, but he was not very strong for it over the phone.”

This was in reply to my request that he call on you in Sacramento. His attorney thinks he has evidence enough in my case and my wife’s death to make a request for grand jury action. He does not know when he can start south, but will have my case taken to court as soon as I ask him to.

I have heard nothing since I received your letter of January 21st, and nothing in reply to my letter to Dr. Rapaport of January 19th. If my letters have been investigated by Dr. Scanland, maybe you have received some information that you can give me so that I may know how to write my brother-in-law. I would appreciate any suggestion or information that will help me in deciding this matter.

I am enclosing copies of two letters, dated May 19 and June 16, 1936, to show some of the efforts made to get home when my wife was so sick.

Respectfully yours,
Luther Osborne.

Imola, Calif., February 13, 1937.

Dear Bill:

As written you, I have good reason to believe I will get a discharge from this place, but I have learned by experience not to count on anything here until it actually happens. A good many of the employees say that some of the employees here are more insane than some of the patients, and they are particular to explain that “employees” include every official and doctor in the place.

Love to all,

Imola, Calif., February 19, 1937.

William R. Osborne,
San Francisco, California.

Dear Bill:

Just received word from Frank. Am sending you a copy of a letter to the Director of Institutions, dated February 19, 1937, which partly explains what Frank plans to do.

He says he has records which show that money you have received as rental has not been accounted for, and other things that constitute misfeasance.

If I am not released from this institution at once, these actions will be commenced. If I am released we can arrange these matters without publicity, trouble or court action.

You can obtain my release at once, if you so desire.

Sincerely,
L. O.

Imola, Calif., February 19, 1937.

Director of Institutions,
State of California,
Sacramento, Calif.

from: Luther Osborne,
Napa, State Hospital,
Imola, California.

Dear Sir:

Since writing you on February 4, 1937, I have heard from my brother-in-law three times, the last letter received today. He is trying to arrange a trip by steamer from Seattle to San Francisco, then to Los Angeles and San Diego and return to Seattle. The attorney handling my case is the attorney for the firm he is working for, with headquarters in San Francisco. He will start my case when he reaches San Francisco, and will advise me when he sails if these plans are carried out. I have advised him of everything I have done and have asked him not to include Dr. Scanland in any of the proceedings except where it is necessary because of his position as Superintendent. I think Dr. Scanland has been badly advised about my case and given an exaggerated and untrue account of the details. And I believe further that if Dr. Scanland knew the facts he would give me a discharge at once; I have tried to get these facts before him but don't believe they have reached him.

My brother-in-law writes me that his attorney says my case is “damn near as bad as kidnapping,” and that the penalty should be more severe than a suit for damages. He also writes that someone ought to be arrested for embezzlement, and believes Dr. Charlesworth can be arrested on an “unlawful detention” charge for holding me here practically as a prisoner since my leave was granted in December, 1932. His attorney knows of other cases Dr. Charlesworth has held here for years and says the doctor has an “infectious mania” for holding patients in the institution beyond all reasonable limits, and that it is a criminal procedure.

My reason for writing is because I believe you should know of our plans; I don’t know what else I can do, as I have heard nothing. I am opposed to these court actions when they are not necessary, but I shall not stay here a day longer than I have to, even if I knew my claim for \$10.00 a day would be allowed, and this is apparently the only way I can get my release.

Enclosed is a copy of a letter to the Judge in Oakland, through whose court my affairs are being administered, which will explain other efforts I have made to get my case adjusted without trouble. My son ignores everything presented and would probably keep me here indefinitely if he could. In my letter to my son of November 12, 1936, I offered to pay to have outside doctors of his selection examine me, but never heard a word from him. I would make the same offer to Dr. Scanland if he would have doctors not connected with the institutions examine me for his own information; four doctors have told me I should not be kept here and don’t understand why I have been kept here so long — and I don’t know how anyone could give a reasonable explanation of that.

I have not advised Dr. Scanland of these plans as yet, but will do so as soon as I hear from my brother-in-law that he is on his way home. I would appreciate any suggestion in the matter,

Respectfully yours,
Luther Osborne.

Imola, Calif., March 9, 1937.

Walter Rapaport, M.D.,
Napa State Hospital,
Imola, California.

Dear Doctor Rapaport:

Will you please give the enclosed letter, dated March 9, 1937, to the Medical Superintendent and the copy of a letter to the Director of Institutions, dated February 19, 1937, attached, to Dr. Scanland?

I would, of course, like to have you read them, and would be glad to give you any information I can about what I suppose is the difference in diagnosis. The doctors who examined me said I did not have this condition. They were very positive about the desirability and necessity of my living in my own home or away from my present environment.

Respectfully yours,
Luther Osborne.

Imola, Calif., March 9, 1937.

J. M. Scanland, M.D.,
Medical Superintendent,
Napa State Hospital,
Imola, California.

from: Luther Osborne,
Napa State Hospital,
Imola, California.

Dear Dr. Scanland:

In making this request for leave of absence or my discharge, I believe I understand why you refuse to allow me to go home, as requested in my letter of January 7, 1937, and appreciate the fact that you are in a somewhat difficult position regarding my case. I also believe your general understanding of my case is wrong in some respects and am trying to give, you additional good reasons for my belief.

During my years here I have made as careful a study of my reported condition as I have been able to, have discussed my own case very thoroughly with four doctors and have read a great deal on the subject. Two of these doctors have told me that I did not have this trouble and that it would be altogether better for me to be at my own home than here.

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Dr. C. A. Johnson, the former Superintendent here, told my attorney that I would be released shortly, but his death prevented that.

I have taken treatments here continuously for nearly three and one-half years. I have had many blood and spinal tests, which show my recovery, and will gladly submit to any further test. My plans are made for a thorough examination twice a year by one of the best doctors in the state, and I will have thoroughly competent medical care and observation for the remainder of my life, for which I have ample funds.

I am enclosing a copy of a letter to the Director of Institutions, dated February 19, 1937, which will explain the plans of my brother-in-law, Mr. Finch. He is still in

Washington state, and I am, so far, opposed to the delay, unpleasantness and costs of court action contemplated. I have had practically no court experience and do not see the necessity for it in my case here, when common sense and simple justice should settle it. I want to get home and take care of some very important matters that need my attention badly, and I want to forget all about my experience here. Another important matter is the dental work I must have done, as my teeth and gums are daily becoming worse.

I respectfully request that my leave be granted, which will enable me to maintain my present good health and relieve the constant strain of my existence here.

Respectfully submitted,
Luther Osborne.

Imola, Calif., March 9, 1937.

Director of Institutions,
State of California,
Sacramento, California.

from: Luther Osborne,
Napa State Hospital,
Imola, California.

Dear Sir:

Enclosed you will find a copy of my letter to Dr. Scanland, Medical Superintendent, dated March 9, 1937, which will explain my last request for my release, and a copy of a letter to my son, W. R. Osborne, dated February 19, 1937.

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Frank Finch writes that he has received word from his home office to continue with his work in the Northwest for the present. He urges me to let the attorney go ahead with my case, but I am not ready to give up my efforts with Dr. Scanland. He sends me some notes his attorney wrote him and I am repeating one of them as having a direct bearing on my case, although parts of them he has used before:

“When a sane citizen, admittedly a good citizen, with a record of 36 years of continuous service for the Federal government, can be forcibly kept from his home and family and confined in an insane asylum for years, in violation of constitutional rights, it is a matter of grave importance to everyone.

“A legal commitment to a state hospital may be obtained by fraud and conspiracy, or a judge may order a commitment through error. State judges are on record as stating that when persons are committed to state hospitals, the court does not know that they are insane; that the officials in charge of state hospitals should know within a reasonable time and act accordingly. The California laws require that a patient committed to a state hospital must be given a separate court hearing before being adjudged insane, and this was the subject of a ruling by the Attorney General — June 20, 1935.

“Courts have decided that holding sane persons in institutions for years is in violation of state laws and have awarded damages for unlawful detention:

There is evidently some hesitancy on the part of my brother-in-law’s attorneys about carrying my case to the Governor. Frank advises me they prefer to work with others at Sacramento, and think mine is a case of flagrant injustice and unlawful mismanagement; they think Dr. Charlesworth’s influence is blocking everything.

I am not interested in any more quarrels and all I want, is to go home and attend to my own affairs.

Respectfully yours,
Luther Osborne.

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Imola, Calif., March 18, 1937.

To the
Governor of
the State of California,
Sacramento, California.

from: Luther Osborne,
Napa State Hospital,
Imola, California.

Dear Sir:

This letter is a request from Luther Osborne, a patient in the Napa State Hospital at Imola, California. It is a request for help from your office in obtaining my release from this institution.

I have had considerable correspondence with the Director of Institutions and a fairly complete record of my case is in his office in Sacramento, I believe. He has advised me that he cannot help me without the recommendation of the Medical Superintendent in

charge here, and I am appealing to you to order or request the Medical Superintendent to report why I am not allowed to go to my home, where many important matters have been neglected for years and which require my immediate attention to prevent another serious loss. I am enclosing copies of some correspondence with the Director of Institutions which will explain some details of my case, and will send him a copy of this letter.

I have been a good citizen of the state of California for 43 years, and a steady taxpayer for 41 years. Have worked for the U. S. Government steadily and continuously for 37 years in the U. S. Customs Service at San Francisco — from 1895 to October, 1931, when I was sent here. I have never been sick in my life and was arrested on a charge of insanity while I was at work in my office in the Custom House in San Francisco.

I am not insane and never have been insane and my commitment to this institution was obtained by false charges, perjury and conspiracy. In December, 1932, I was granted a leave of absence by the medical staff here. My youngest son was induced not to sign my leave of absence agreement, and because of this technicality I have been held here ever since.

I have been kept here five and one-half years; I am 66 years old. Two doctors have recently examined me thoroughly

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and say I should not be kept here longer. I will pay all costs for another outside examination or for any tests, if necessary. There is no mental, physical, legal or financial reason why I should not be allowed to go to my home at once, and I believe I am entitled to some protection and consideration from the state doctors who are handling my case.

As a matter of simple justice will you please direct that my case be thoroughly investigated, without prejudice?

Respectfully yours,
Luther Osborne.

Imola, Calif., March 18, 1937.

Director of Institutions,
State of California,
Sacramento, California.

from: Luther Osborne,
Napa State Hospital,
Imola, California.

Dear Sir:

Replying to your letter of March 15, 1937, I have written to my brother-in-law, Mr. Finch, to call on you as soon as he returns and I am very anxious to have him discuss

my case with you. As I wrote you in my letter of March 9th he has been unable to make arrangements to get home on account of business conditions in the south, and he will let me know just as soon as he can make the trip. He suggests that I write to the Governor of the state about my case, and I am doing that today and will enclose a copy with this letter. I have asked the Governor for a thorough investigation of my case, without prejudice.

Mr. Finch writes me that his attorney says that the handling of my case is a flagrant violation of my constitutional rights and a flagrant violation of our own state laws under which this institution operates and which prescribes the authority and powers of management of its officers. He says that forcing me to stay here the last four years has been unlawful detention, since my leave was granted in 1932, and that it was done by Dr. Charlesworth, who was my ward doctor and the Assistant Medical Superintendent at the time. I have suffered a financial loss of thousands of dollars by being held here so long, am losing money every month I am kept here, and my health is

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suffering by my enforced manner of living, which point was stressed by the two doctors who examined me a few months ago, and which I mentioned in my letter to Dr. Rapaport of March 9th. He also writes that he has learned that through the connivance of my son, William, and Dr. Charlesworth I have been kept here over four years, and that he learned this from my wife. Dr. Charlesworth, my ward doctor at the time, told my wife on December 17, 1934, that as soon as I was through taking treatments I could go home; they have refused me this permission for nearly two years — treatments were stopped in April, 1935.

I do not want to take my case into court if I can avoid it, and I don't see why that should be necessary. I have heard nothing from my letter to Dr. Scanland of March 9, 1937.

Respectfully yours,
Luther Osborne.

Imola, Calif., March 20, 1937.

Dear Bill:

Am sending you a copy of another letter to the Director of Institutions, dated March 18, 1937; thought you might as well see some of these.

Telephoned your office Thursday, but you were out. Was going to suggest that you write to Dr. Scanland; that's probably what he's waiting for.

I am not sure that you know exactly what you're doing about my case, but I am very sure that one, or two, of them here, — don't.

The delay is not only tiresome but an expensive one for everyone concerned — and absolutely useless. I would suggest that you write or telephone to Dr. Scanland, and come up and see me next week.

L. O.

Imola, Calif., March 27, 1937.

Dear Bill:

It may be possible, Bill, that I hardly know just how to write about certain things and conditions that vitally concern you and your connection with my case. In fact, for very good reasons I cannot write in detail about some

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matters that I could discuss with you. I have tried to telephone you the last two weeks to tell you some things I could not write, but was unable to catch you.

My last several letters to you have been written as much, or more, to protect your interests, as my own, and as I have heard nothing, assume you have done nothing.

As to information or advice you may have received from any attorney, I cannot imagine you have received much. As to information or advice you may have received from any doctor, I cannot imagine any that would be more unreliable than what you have received from Dr. Charlesworth.

I have been trying to tell you that it would be to your interest to take me out of this place, as well as my own. I have written you that those things that I can control, would be controlled in your interest as well as my own, with your cooperation. Some things are now getting entirely out of my control, as they will include other cases in addition to mine, and will be handled by somebody with more authority than Dr. Charlesworth has.

Your handling of my case is not approved — and by this I mean my person, my legal and human rights — not my estate or my business interests, on which no opinion has been given me officially. Your immediate move should be an active interest in getting me home, and that means a request or demand for my release direct to Dr. Scanland, before matters get worse for you. I have suggested that you do this for months, or years, maybe, and I want to point out that I have done almost everything I possibly could in this respect.

I have heard from my letters of March 18th and received another letter from Frank; while I cannot give you the details, I again suggest that you get yourself on record here as favoring my immediate release.

L. O.

Imola, Calif., April 6, 1937.

Dear Bill:

Another week has rolled around and as I haven't heard anything from you, I suppose you have done nothing and have heard nothing from the doctors. This month it will be two years from the time when I should have been sent

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home; Dr. Charlesworth told Mamma on her last trip here in December, 1934, that I could go home just as soon as my treatments were over, and they were over in April, 1935. Nobody can give a reasonable explanation why I have been kept here since then — not even the old reason that I was taking treatments — (that I could get better at home than here.)

Will you have time to write me a few lines about all this? What is your attitude or explanation as to my long detention here? What is your idea of what I should do? On your last trip here in September, 1936, you started to tell me about some doctor here discussing my case with you, but Dr. Scanland came up and you never continued. As I understand it, Dr. Charlesworth has advised you not to take me home; no other doctor has. Dr. Charlesworth has stopped it so far because he is the Assistant Superintendent — an unlawful and contemptible procedure.

Every outside doctor I have seen (and that means four) say I should not be kept here and should not have been sent here — and you can have any doctor you want examine me thoroughly for your own satisfaction, and I'll pay for it.

I have a claim against the state for \$10.00 per day for illegal detention here and I am advised to take it easy and let them drag it out as they see fit. I am not satisfied with that and want my release just as soon as I can get it and in any way I can get it. My teeth are actually rotting away in my mouth — I don't know how they could be in worse condition — and if that isn't malpractice I don't know what is.

I expect some help from Sacramento and would like to know what you are going to do.

Love to all,
L. O.

Under date of March 23, 1937, the Director of Institutions wrote me that my letter to the Governor of March 18, 1939, had been referred to him for answer and that no case would be given every consideration. He also wrote that my letters had been referred to the Medical Superintendent for investigation — and nothing was ever heard further about that.

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Imola, Calif., April 8, 1937.

Director of Institutions,
State of California,
Sacramento, California.

from: Luther Osborne,
Napa State Hospital,
Imola, California.

Dear Sir:

Replying to your letter of March 23, 1937, I am very hopeful from what you have written, as I am sure that with any reasonable consideration at all I will be sent home. Everybody I have talked with about my case say I should not be kept here. Several employees, who frequently condemn Dr. Charlesworth for his official acts, say Dr. Scanland is more and more criticised for allowing this to exist. Without exception, everyone that I know of who has investigated my case say that no court action should be necessary and that I should be released at once. My brother-in-law, who has studied my case more than anyone, is of the same opinion, but is much disappointed by the delay. I am anxiously awaiting some word from Dr. Scanland as my teeth and gums are in a terrible condition, badly infected, unsafe and a menace to my health.

My brother-in-law suggests that I write you about the effort you made in February, 1935, to stop the sending of people over 60 years of age to the state hospitals, which was written up in the papers of February 21 and 22, 1935. He states that I was certainly in that age class, being 61 years of age when committed, and at that time and ever since I have had ample means to take care of myself better than I could be taken care of here.

He says cases like mine should be discharged by the doctors in charge of the state hospitals, and that if I had been in any one of the other state hospitals I would have been discharged long ago. He states that Dr. Charlesworth is responsible for my long detention here and that he does not believe that Dr. Scanland, or anyone else, can give a reasonable explanation of why I have been kept here so long, and especially since my treatments were stopped two years ago. He also bitterly resents the fact that my son has been able to keep me here all this time and that the doctors have allowed him to do it — and he blames Dr. Charlesworth for that.

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I am enclosing copies of my letters to my son; I am trying to get him to do something as I have heard nothing from my last request for leave to Dr. Scanland, dated March 9, 1937, one month ago. It will also show you the continued efforts I am making to obtain my release, principally to protect my health by taking care of my bad teeth, and to get busy on my own affairs that will cost me hundreds of dollars if they are neglected longer — and nobody can do it for me.

Respectfully yours,
Luther Osborne.

Imola, Calif., April 22, 1937.

Dear Bill:

I must do something about my teeth. Haven't been able to sleep half the night for more than a week, and have been getting up at 4:00 o'clock in the morning for a month. Can you come up Sunday so I can go to a dentist Monday?

My teeth are in terrible shape; mostly stumps and roots. And where the nerve is not dead, it is almost a steady ache. Have used so much medicine on them it does not help much at all, and my left cheek is swollen as large as an egg; for the last three days.

You can arrange the whole thing by phone and I will pay all it costs. Only please do something at once so I can get this work started. Anything will do that will enable me to have these teeth taken care of — but not here. I won't have anything done here, because I couldn't have anything done here right.

Hope to see you Sunday.

Love to all,
L. O.

Imola, Calif., April 28, 1937.

Dear Bill:

Your letter about my teeth, dated April 24th, was received today. It was more insulting than anything else I can think of at the moment. Evidently it never occurs to you that you may be writing to someone who may have more brains and a better mind than you have yourself. I don't know that I am greatly surprised; I am very much

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disappointed but not a bit discouraged. You could have me home where I could have this work done properly by merely phoning or writing to the Superintendent, and you could have done that any time during the last four years. Of this whole matter, you are making a ghastly travesty of simple justice, and your co-worker is doing the same thing with medicine as well as justice. You will probably both wind up in the usual way.

You write: "I think you should have them fixed at Imola." How the devil can I have them fixed at Imola? They don't do anything here but pull 'em out — and, of course, I won't have them fixed at Napa unless I can get a leave of absence to live at any one of three places I can get, where I would be away from this place; I wrote you about one of

these places on October 27, 1936, which was turned down, and the man was ready to sign for me.

Forget all about it, if you can, until I write again.

Love to all,
Luther Osborne.

Imola, Calif., April 29, 1937.

Director of Institutions,
State of California,
Sacramento, California.

from: Luther Osborne,
Napa State Hospital,
Imola, California.

Dear Sir:

This letter is intended as more or less semi-official; I realize you are a busy man and am doing my best to have my case disposed of so I won't have to bother anyone. I cannot get any information here and the last time I saw my ward doctor he told me my case was in the hands of Dr. Scanland and he could not help me. Your last letter of March 23, 1937, said I would be given every possible consideration and I don't believe the officials here have given my case a thought for months. Dr. Rapaport said my request to Dr. Scanland of March 9, 1937, had been given to him but nothing has been done about it, and that was nearly two months ago. It has been a succession of these delays that has kept me here over four years.

I wish I could explain to you the strain I am under on account of my detention here. I am a perfectly normal man in every way, and kept from taking care of many

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very important matters for no good reason at all. I don't believe any man has the right or authority to do that for a period of years. My son could have me released at once, but he is keeping me here unlawfully and Dr. Scanland is allowing him to do it. My brother-in-law says my son is responsible and that Dr. Charlesworth is helping him to keep me here. How the handling of my case by the state authorities can be justified I can't imagine, and to continue it and drag it out month after month is harder and harder to understand. I was granted a leave of absence by the entire medical staff in December, 1932. Because my son refused to sign my leave of absence agreement I was kept here. During the following years four friends made applications for my leave, all reputable citizens, who complied with all requirements. My leave was denied because I was taking treatments and in December, 1934, Dr. Charlesworth told my wife I could go home just as soon as my treatments were over; they were over in April, 1935.

My brother-in-law writes me that he will have his attorney see or write to Governor Merriam to follow up my letter to the Governor of March 18. but I would like to get

some definite word from Dr. Scanland first.

Is there anything that can be done to induce Dr. Scanland to act on my case? I am having a terrible experience with my teeth, which is another reason why I am so anxious.

Respectfully yours,
Luther Osborne.

Imola, Calif., May 11, 1937.

Walter Rapaport, M.D.,
Napa State Hospital,
Imola, California.

Dear Dr. Rapaport:

Will you please give the enclosed letter and copy of a letter to Dr. Scanland?

My brother-in-law writes he is unable to return here yet on account of his business schedule, but will come if there is an “emergency” — as he calls it.

Respectfully yours,
Luther Osborne.

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Imola, California, May 11, 1937.

Director of Institutions,
State of California,
Sacramento, California.

from: Luther Osborne,
Napa State Hospital,
Imola, California.

Dear Sir:

Enclosed please find a copy of my letter to Dr. Scanland, dated May 11, 1937, and a copy of my letter to my son, dated April 28, 1937. With my letter to you of April 29, 1937, I enclosed a copy of a letter to my son describing the condition of my teeth. I received a reply to this letter from him stating that he thought I should have my teeth fixed at Imola. My answer to him was my letter of April 28, 1937 — copy enclosed. This letter from him was the fourth one I have received from him in five years, and the first one since my wife’s death last July.

My letter of today to Dr. Scanland will explain itself, and if it were left to Dr. Charlesworth I would probably be transferred to a disagreeable ward, as before.

If you could see and know of some of the cases released, you would be as puzzled as I am. I have been told, some time ago that if my son made application I would be released. I believe that, of course, because I have seen it carried out many times and it was true in my case. If a member of the patient's family will not make application or sign his release agreement, the patient must stay here indefinitely, regardless of the fact that the medical staff decides he is ready to be released. This is certainly the case but it does not seem that it should be possible. Many are released when a friend makes application; my friends were turned down. Many are ordered released by the court. Two attorneys have told me that the whole thing is a criminal evasion by the Superintendent in charge.

My brother-in-law is still unable to get down here — unless it is an “emergency,” he writes. Anyway, I don't believe I should be forced to take my case to court. While I have lost many times the court costs by being kept here so long, I believe that is another reason why I should be given my discharge at once.

Respectfully yours,
Luther Osborne.

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Imola, Calif., May 11, 1937.

J. M. Scanland, M.D.,
Medical Superintendent,
Napa State Hospital,
Imola, California.

from: Luther Osborne,
Napa State Hospital,
Imola, California.

Dear Dr. Scanland:

As the disposition of my case is becoming more serious every day and as my teeth and gums are steadily getting worse, I am making another application for my discharge or leave. It is very important to me that I go home as soon as it can be arranged, and it is more than ever essential that I have necessary dental work done at once to maintain my health; I am enclosing a copy of a letter to my son that will partly explain the condition of my teeth.

Some of the important reasons for this application are as follows:

With the exception of my teeth I am in perfect health. I have recently had a thorough medical examination and will be pleased to submit to any further examination or tests. I am a perfectly normal man and that can be confirmed by anyone I have worked with during my years here — all the employees at the dairy, the only place I have worked, and the attendants with whom I am in daily contact.

There is not a single incident or act on my part during my five years here, or my 37 years in the U. S. Customs Service, on which to base the charge of insanity. At my trial in October, 1931, the Judge stated he would not commit me on any of the charges made in the complaint. He said my tests showed I had a blood infection and he would send me to this hospital for treatment. My arrest while I was at work in my office in the Custom House was the result of conspiracy and perjury, and the Judge stated he knew nothing about the charges made but was committing me on the result of the blood test.

There is no mental, physical, legal, financial or family condition that should prevent me from living in my own home. I have been a good citizen of this state for 43 years and a taxpayer for 41 years, and I am proud of my record. There is not one good reason why I should be

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kept here longer and prevented from taking care of and maintaining my health.

My wife's brother, Frank Finch, has investigated my case thoroughly and has records of a shortage in my son's accounting of my affairs to the court. He also states that he has evidence that my son has an arrangement with Dr. Charlesworth to keep me here. My son, W. R. Osborne, told me that the reason he would not sign my leave of absence agreement was because Dr. Charlesworth told him not to; this was after the medical staff had granted me a leave of absence in December, 1932.

While maintaining my health is the important part of my plans, I am suffering a steady financial loss of more than \$200 monthly while I am kept here. The changing condition in Oakland, where most of my income property is located, make it increasingly important for me to be home.

Would like to mention again that Dr. Charlesworth told my wife on December 17, 1934, the last trip she made here, that I could go home just as soon as my treatments were over — and these treatments were over in April, 1935.

If my letters seem to indicate a disposition to make trouble, nothing is further from my mind, thought or intention. I have had a busy and successful life and have always been helpful, progressive and cooperative. I have never had any trouble before this experience. I was instrumental in securing for my son his present successful business and have worked for his interest all of his life. I am continuing this same procedure and my release from this institution will be more helpful to him than anything else I can think of. With all due respect to everybody concerned, if I had been discharged years ago it would have been of more benefit to him than anything that could have happened. His mother realized and understood this and it was largely her inability to accomplish it that was an important factor in her early death. Bad advice, misrepresentations, discrimination, deliberate distortion of facts and the lack of common sense have been largely responsible for my son's unfortunate position in relation to my affairs. My past forty-odd years' record may be better than the average citizen, and I am particularly interested

in taking care of the important matters that need my attention. I am nearly 67 years old and will require the remaining years of my life for the work awaiting me.

I respectfully request that I be given my discharge or granted a leave of absence.

Will you please send word to my son, W. R. Osborne, or allow me to make the necessary arrangements?

Respectfully yours,
Luther Osborne.

Imola, Calif., May 20, 1937.

Director of Institutions,
State of California,
Sacramento, California.

from: Luther Osborne,
Napa State Hospital,
Imola, California.

Dear Sir:

This letter should start with an apology for writing so often, I suppose, but I am having such a remarkable experience that the usual procedure does not seem to bring results in my case. I have never had such an experience, of course, and if I had been told it could happen I would not have believed it possible. If any case can be called urgent, mine would seem to come under that heading, after five years of effort to correct a hideous blunder and frame-up with the minimum of grief for everyone involved. The condition of my teeth and gums is so serious, so many of my important interests have been so ruthlessly destroyed and my human and legal rights so completely ignored, that I am forced to use unusual methods to protect my life's work and maintain my health. If there are any "hell holes," as they are frequently called, in the state of California, this must be one. Not from the stand-point of physical violence or abuse, but the utter indifference to the patient's interests. The rights of a patient are given no consideration at all and the absolute wrecking of a human life is passed over and forgotten. This does not apply to everyone here by any means, but it does apply to enough in the higher brackets to make the place a disgrace to the state.

In accordance with a suggestion from my brother-in-law, received today, I am writing again to Governor Merriam and am enclosing a copy of the letter, dated

May 20, 1937. My brother-in-law thought I should write him more of the vital facts than I put in my letter to him of March 18th, and returned to me from his files a copy of my letter to the Governor of March 14, 1935 — over two years ago. He thought it would help to illustrate the costly delay and rank injustice in the disposition of some of these cases; I am enclosing this copy.

Have not heard anything from my letter to Dr. Scanland of May 11th and do not know that he has received or read it. Have heard that some of my Oakland property is not being taken care of at all, and my son is so busy with his own work that he cannot properly look after any of it. My other business interests are at a standstill and I am steadily losing money that I could save by being at home. My teeth and gums are worse, if that is possible, and the physical strain of my existence here is increasing.

Respectfully yours,
Luther Osborne.

Imola, Calif., May 20, 1937.

To the
Governor of
the State of California,
Sacramento, California.

from: Luther Osborne,
Napa State Hospital,
Imola, California.

Dear Sir:

Referring to my letter to you of March 18, 1937, I received a letter from the Director of Institutions, dated March 23, 1937, stating that my letter had been turned over to him for reply and that he would give my case every possible consideration; I am enclosing copies of my letters to him, dated May 11th and May 20th, and a copy of my letter to the Medical Superintendent under date of May 11th.

I don't believe the doctors here have given my case any consideration at all, and I am very sure that it has been handled unlawfully.

My wife's brother has investigated my case very thoroughly; he has spent months on the details and checking up on the handling of my affairs by my son. He has records and proofs of a shortage in the accounting of my affairs to the court; rentals that my son has collected for my apartments and flats, and money that I left in my

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office when I was sent here, that no account has been made of.

My brother-in-law also has evidence that my son has an arrangement with Dr. I. E. Charlesworth, the Assistant Medical Superintendent, to keep me here.

Two attorneys state that holding me here is a flagrant violation of law and others have made similar statements. My detention here has caused me a loss of thousands of dollars, and the physical strain of my enforced routine is serious at my age. My complaints and request for help are not from an irresponsible man; I have a forty-odd-year good record in this state and am in perfect mental health. My commitment to this institution was wrong and my long detention here has been a criminal procedure.

Can something be done to enable me to go to my home and take care of my own affairs?

I am not asking anything unreasonable and I am certainly entitled to some consideration from the authorities here. An investigation of my case will prove all of my statements.

Will you please help me in some way to obtain my release?

Respectfully yours,
Luther Osborne.

Imola, Calif., June 3, 1937.

To the Attorney General
of the State of California,
San Francisco, California.

from: Luther Osborne,
Napa State Hospital,
Imola, California.

Dear Sir:

There have been so many new developments in my case, the investigation of which has shown bribery, perjury and illegal procedure, that I am writing again to request your help, with that of the Director of Institutions, to bring about my release.

Referring to my letters to you of February 25th and August 7th, 1935, my wife's brother was transferred from his Chicago work to the Pacific Coast, and he made a thorough study and investigation of my case. He discovered that my son had an arrangement with Dr. Charlesworth, the Assistant Medical Superintendent here, to keep me here as long as he could.

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I have been a good citizen of this state for 43 years; a taxpayer for 41 years. I am not insane and never have been insane and my commitment was obtained by conspiracy and perjury. I have been kept here more than five years, and a large part of that time illegally. I am 67 years old and require my liberty to protect and maintain my health; my property, that I have worked a lifetime to acquire, is not being taken care of and I am suffering a loss of more than \$200 monthly while I am kept here.

The Director of Institutions for the state has helped me, but writes me that he is waiting for the Medical Superintendent to recommend my release. This has delayed me a year and a half, and I am requesting you to communicate with him about my case so that something can be done to enable me to go to my home.

I am enclosing copies of my letters to the Governor, dated March 18 and May 20, 1937, and to the Director of Institutions, dated May 20, 1937.

These continued delays have kept me here ever since Dr. Scanland was appointed Medical Superintendent in December, 1935. As a matter of simple justice and on my

long record in San Francisco, and my time here, I should be allowed to go home at once.

I am writing this letter on the advice of an attorney who tells me it is absolutely unlawful holding me here, and that the Superintendent should be advised by the law enforcement department of the state. He believes the Director of Institutions would appreciate your help in this matter, and the reason I cannot have him act for me is because I cannot use my own funds; my son is using my own money to keep me here.

Respectfully yours,
Luther Osborne.

P. S. — During the past year my brother-in-law has had me thoroughly examined, both physically and mentally, by two doctors. They report me in first-class condition, say nothing is the matter with me at all, except my teeth and gums, and that I should not be kept here.

I have advised the Superintendent here that I am ready to undergo any physical or mental examination or tests, but have heard nothing in reply.

L. O.

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Imola, Calif., June 10, 1937.

Director of Institutions,
State of California,
Sacramento, California.

from: Luther Osborne,
Napa State Hospital,
Imola, California.

Dear Sir:

My letter to Governor Merriam of May 20, 1937, was written upon the suggestion of my brother-in-law. I have received another letter from him in which he suggests that I write you about the "evident plans" of my son and Dr. Charlesworth in keeping me a prisoner here, even if they prefer to call it "patient" or "inmate," — as he writes.

My brother-in-law has helped me more than anyone, and has made a particularly thorough and careful study of my case. He has copies of all my correspondence since I have been here and is familiar with many things that have happened and that have been published, with a bearing on mine and similar cases. With the help of two old friends of us both, who live in Oakland, he has protected my interests since coming here from Chicago; my brother-in-law is a native son, born in Oakland and lived there most of his life. In this letter, I am writing what he suggests for any help it may be.

He suggests that I request you to order me examined physically and mentally by state doctors or outside doctors, at my expense if necessary, to determine why I am

being kept here. Dr. Scanland and Dr. Charlesworth are keeping me here. Neither of them have ever examined me or can know anything about my case, except what they are told or may read in the record of my case. None of the hospital doctors have ever examined me thoroughly. Dr. Charlesworth told my wife, and a friend, that he knew I was not insane; that I was being kept here for treatments.

That if this examination by outside doctors cannot be given me, “I ask for an official reason, why I am not allowed to go home.” Dr. Scanland told me on September 29, 1936, when I saw him with my son, that he would “tell me later”; I have been unable to get that information.

He sends me clippings from the *San Francisco News* of February 21-23, 1935, which contain a report of an interview

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with you about sending people over 60 to state asylums, your letters to the Superior Court judges, and an interesting editorial. This column is headed: “Judge Joins in Fight for Old Persons,” on page 8 of the *News* for February 22 or 23, 1935. He suggests I write you “what the court clerk says,” and writes: “The evident intention and plan of Bill and the doctor is that your long detention will cause you a breakdown — or worse.” The *News* interview reports Court Clerk Walter Olsen of the detention division of the Superior Court of San Francisco, as saying:

“The old folks don’t last long at the mental hospitals.

“A way to kill a person more than 60 years old is to confine him with the insane. It breaks their hearts and spirits, especially if they are taken away from their children or old friends. After they are committed from here, it’s usually not long until we hear they are dead.”

My brother-in-law believes that there has been a deliberate effort made to hasten my death, and calls it “legalized murder.” He used the same term about my wife’s death, and writes that in my case “it is more direct and pernicious.” He also writes it is surprising that my letter to Dr. Scanland of May 11, 1937, brought no reply and that “it looks as if it would be necessary to take the matter to court.”

With all the explanations and statements of the past several months, and longer, cannot something be done that will enable me to go home?

It seems ridiculous that I keep writing you this way — and so often. I don’t know how to handle this case of mine differently and I must continue my efforts to obtain my discharge. I do not talk or write to many about my troubles, but all of them, lawyers and doctors included, cannot understand how two men can continue to block my release.

My whole case has been a terrible blunder and it will take me a long time to correct the important matters that need my attention so badly — I haven’t many years left and I am asking so little.

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Some of my affairs are in terrible condition, as would happen to almost anything not being properly taken care for over five years. My teeth are in such bad condition I will have a month's job on them and the work should be started at once.

All I want in the world is to attend to my own business for the benefit of everybody concerned.

Can we not adjust the whole matter in a reasonable and satisfactory manner, cut out all this letter writing, loss of time, needless cost and expense, and devote our time to more important things?

Yours very truly,
Luther Osborne.

Imola, Calif., June 29, 1937.

Dear Bill:

Am enclosing copies of my letters to the Superintendent, dated May 11, 1937, and to the Director of Institutions, dated May 20 and June 10, 1937. This will show you, in a small way at least, what a hell of a time a man has here of getting anywhere. I was told yesterday that the whole thing is up to you, and that you would have a lot of explaining to do if you don't do something; it's nearly six years now on a one-year job. All you have to do is to take me home — where I should have been long ago.

L. O.

Imola, Calif., June 17, 1937.

Walter Rapaport, M.D.,
Napa State Hospital,
Imola, California.

Dear Dr. Rapaport:

Will you please read the enclosed letter and give it to Dr. Scanland?

As written in this letter, I will have periodic examinations, not more than six months apart, for my own satisfaction and security, and if treatments are necessary will have the services of one or more of the best doctors available in the bay region. The report of my last examination was that I was in fine condition, and when my teeth were fixed, would have nothing to worry about. With my intense interest and concern in my case, and with my experience

and study of the last few years, I will continue to keep myself in the best of health. Have been feeling fine the last month as I have kept my teeth easier by medicine and careful use; when I have them all out my troubles will be over.

Would greatly appreciate any help you can give me.

Respectfully yours,
Luther Osborne.

Imola, Calif., June 17, 1937.

J. M. Scanland, M.D.,
Medical Superintendent,
Napa State Hospital,
Imola, California.

from: Luther Osborne,
Napa State Hospital,
Imola, California.

Dear Dr. Scanland:

In a letter from the Director of Institutions, dated June 11, 1937, he advises me: "That as soon as you have sufficiently recovered in the opinion of the Medical Staff of the institution, you will be permitted to leave."

He also advises me that: "In view of the over-crowded conditions at Napa State Hospital, this Department would not attempt to keep you in the hospital any longer than is necessary, but the staff of the institution feels that you need further treatments."

After my last examination I was told I was in splendid condition, with the exception of my teeth, and I am anxious to undergo any further examination necessary, that the Medical Staff may know my condition. I have been feeling fine, have not been sick a day, and the only trouble I have had is with my teeth and gums. These will be attended to at once upon my release.

May I appear before the Medical Staff to confirm these statements?

With reference to further treatments, I can take further treatments from my home in Oakland if I should need them, and I will have a thorough examination every six months for some time to come to determine whether I should have more treatments. Plans have already been made for me to have medical examinations, observation and care, and my condition will be known at all times. I am very anxious to have my teeth fixed at once, and will

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have another thorough examination within a month after I reach home. I am more interested in my condition than anyone else can possibly be, and I shall be particularly careful to have the best care, and will be the first to arrange for any treatment necessary.

Respectfully yours,

Luther Osborne.

Imola, Calif., June 30, 1937.

Dear Bill:

Yesterday I sent you copies of some letters and today I am sending you a copy of my last letter to the Superintendent, dated June 17, 1937. Today I was told they would do nothing until you make a request for my release or I could secure a court order for my discharge.

I would think you would want me at home to take care of some of the things you must have to spend some time and expense on; I should think I could be very helpful.

The situation here is ridiculous and is dominated by one man, and he is the least competent. The medical staff are not opposed to my release, but cannot be unanimous because he is a member. The whole thing is wrong and you shouldn't fall for it.

Will you write or phone to Dr. Scanland and arrange to get me home?

L. O.

Imola, Calif., July 4, 1937.

Walter Rapaport, M.D.,
Napa State Hospital,
Imola, California.

from: Luther Osborne,
Napa State Hospital,
Imola, California.

Dear Dr. Rapaport:

Referring to the conference given me June 28, 1937, from the discussion by Dr. Oliver of my examination in November, 1936, by two doctors from San Francisco, I infer he has some doubts that this examination took place, and as it may be possible that other members of the medical staff do not wholly understand it, I am writing more of the details. I might add here that I have been writing letters many years and learned long ago to be truthful in all my statements. I do not believe one can find even exaggeration in the letters I have written while here.

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After waiting a month from the time he wrote to the Superintendent, September 28, 1936, my brother-in-law learned that I had not been released and prepared to take my case to court. He had his attorney, a Mr. Johnson, employ Dr. Meyer and Dr. Hill to come here and examine me thoroughly to obtain information for their court testimony. They came up November 3, 1936, took me to Napa for the examination, which lasted

from noon until about 4:00 p. m., took my blood test and a sample of urine, and gave me a very thorough going-over. Dr. Meyer told me he had known me casually for 20 years or more, as he had frequently met me when paying duty and had also met me at the Press Club. He told the attorney, after he had investigated my case, that I should never have been sent here and should not be kept here. He said it was a blunder holding me here after my leave of absence was granted in December, 1932, and a worse blunder continuing to keep me here. I wrote about this matter to my son under date of November 12, 1936, and sent a copy of part of that letter to Dr. Scanland with my letter to him of December 10, 1936.

When I learned of the probable cost of this court action I discouraged the idea and tried in other ways to obtain my release; I cannot understand yet why a court order should be necessary. My brother-in-law had to go to Seattle and Vancouver, and in the early part of this year the enormous damage to the citrus crop by the freezing weather in California, caused a change in his plans to return here, and he has been in the northern territory since.

In reply to my question, "Why the medical staff did not consider me in good mental health," you said that because I refused to have my teeth fixed while living here, they thought that showed poor judgment. My reason for this was that I would be without any teeth for more than a month before I could use plates, that I could not get the proper food and living conditions and could not carry on my work; I am still of the opinion I should be home for that dental work and believe I should be allowed to go home for that purpose.

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Both Dr. Meyer and Dr. Hill reported that I had perfect mental health, that I should be home when my teeth were fixed, and that it would be better in every way to be in my own home — for myself and for everybody concerned. When Mr. Johnson, the attorney, received the report of my condition, Dr. Meyer told him that any doctor would know that I was not insane and should not be kept here. The attorney told me that my long detention here was unlawful and a violation of the California laws under which the institution operates. He stated he had handled several of these cases and never knew of one delayed as mine had been, when every requirement and condition for my release had been complied with. He also told me that he had made an outline of my case for a claim of \$10.00 per day to the state, and that he had sent it to my brother-in-law for details as to the number of days the claim was to cover, and other matter that he could furnish.

With reference to the question asked me as to how much I was losing by being kept here, I replied more than \$200 monthly. I can return to work or continue on sick leave, as at present. I propose to continue on sick leave until my dental work is completed and my Oakland property is brought up to normal; I may arrange for retirement and devote my time altogether to my own affairs.

Respectfully yours,

Luther Osborne.

Imola, Calif., July 20, 1937.

J. M. Scanland, M.D.,
Medical Superintendent,
Napa State Hospital,
Imola, California.

Dear Dr. Scanland:

In accordance with instructions from my brother-in-law and his attorney, I am directed to advise you of their plans regarding my case. I am also directed to advise the Director of Institutions, and enclose a letter to him, which I request that you forward; there is also enclosed a copy of this letter to the Director of Institutions, dated July 20, 1937, for your information.

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My brother-in-law and his attorney write as follows:

They believe that the facts of my case have been presented to you fairly and accurately by letters and statements; that the charges of any importance against me are false; that my commitment was obtained by conspiracy, fraud and perjury; that there is not one good reason for holding me here longer, and that my further detention is unlawful.

They write that they know, and the two examining physicians know, that I am in perfect mental health, and that keeping me here is a daily menace to my physical health.

They write that if I am not released, civil and criminal court action will be commenced against the Medical Superintendent and others involved in my illegal detention.

I hereby respectfully request that I be permitted to go to my own home in Oakland to close my case and avoid court action.

As my brother-in-law has spent a great deal of time on my case and has protected my interests, I feel compelled to write as he directs, although it is against my every inclination. I am opposed to the costs and delay of a court action and have advised him I do not see why it should be necessary. He writes that he will not wait any longer and that his attorney is very sure that the court will issue an order for my release; I will eventually pay all these costs, which will materially add to my losses here.

I am also enclosing a copy of a letter to Dr. Rapaport, dated July 4, 1937, about my case, which will explain some details not in this letter.

Will you please advise me if' some arrangement cannot be made that will enable me to go home to have this necessary dental work done, and to take care of many important matters that require my immediate attention.

Respectfully yours,
Luther Osborne.

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Imola, Calif., August 12, 1937.

J. M. Scanland, M.D.,
Medical Superintendent,
Napa State Hospital,
Imola, California.

Dear Dr. Scanland:

Referring to my letter to you of July 20, 1937, I wrote to my brother-in-law and sent him a copy of it. I wrote him that it seemed unnecessary to me to take my case to court. I received a letter from him yesterday stating that he had sent everything to his attorney and would be guided by his advice.

Up to today I have been kept here five years and ten months. No treatments have been given me for two years and four months, and I am told that no further treatments are required.

I am a perfectly normal man with perfect mental health. My physical health is good with the exception of my teeth. I have not been sick a day since coming here and I have worked every day continuously.

The last time I saw my wife was on December 17, 1934; she died July 12, 1936. She sent word to me and tried to have me sent home more than a dozen times during that year and a half; I was told of her death the day after her funeral. My brother-in-law was up here three times between June 20 and July 10, 1936, and I wrote an application for permission to go to her on July 5, 1936, and stated in that letter that my wife was dying. She wrote me about many important matters that I have been unable to take care of and I am particularly anxious to adjust them.

Will you please give me permission to go to my home? I will comply with any reasonable condition at all!

I have an honorable and worth-while record of 40 years in San Francisco and Oakland and surely am entitled to this permission. The matters I must take care of are important, my teeth need attention badly, and this adjustment of my case will be for the benefit of everybody.

Respectfully yours,

The following is a copy of a letter to my brother-in-law:

Imola, Calif., August 14, 1937.

Mr. Frank Finch,
Seattle, Washington.
from: Luther Osborne,
Imola, California.

Dear Frank:

A reply to your letter of August 7, 1937, was sent you August 12; I answered all your questions and enclosed a copy of my letter to the Medical Superintendent dated August 12, 1937. In this letter I will write about Dr. Charlesworth's handling of my case, as you suggest. There may be included some information I have already written you, but a reiteration of some of these facts may help.

When a perfectly sane man can be taken from his home, family and business on fraudulent charges and a deliberate frame-up, based on grudge and a conspiracy to defraud, and kept for six years in an institution of this kind by doctors employed by the state — of which he has been a first-class citizen for 42 years — it is certainly time for a change of some kind to be made in the system or practice that permits it.

And when a doctor who holds a position of authority in this institution can hold a sane person in what can be called false imprisonment for six years, it is a matter of serious importance and concern to every citizen. It is a flagrant violation of constitutional rights and a flagrant violation of our own state laws under which he receives his authority.

And when one doctor, employed by the state in this institution (one of his important duties being the protection of the patient's interests), and whose salary and living expenses are paid by the taxpayers (one of which I have been for over 40 years in this state), can persecute a helpless patient because he has the courage to challenge his methods and treatment, it is also time for something to be done about that.

And to repeat again, when a doctor employed as a state official in this state institution, can forcibly hold a patient of my type for six years, it is a remarkable condition and demonstrates the unfitness of such an official for the authority and responsibilities imposed by the laws under

which the institution exists and operates. The patient is entitled to reasonable consideration, cooperation and protection; the consideration, cooperation and protection, if any, is given in many cases to the outside parties responsible for the patient's commitment. Constitutional and human rights are violated and ignored and the patient is made practically helpless by imprisonment and control.

During my six years here I have suffered a financial loss of my government salary of \$2,500 a year, a loss of over \$2,000 a year from my outside activities, and a total loss of a restaurant business in San Francisco that was appraised at \$12,000. This would have been prevented if I had been released when my leave of absence was granted in December, 1932. This leave was granted by the unanimous consent of the medical staff and I was declared ready to go home. At that time my son refused to sign the necessary papers and on this technicality I have been kept here the last five years.

And Dr. Charlesworth's handling of my case has meant just all of that to me.

During these last five years there have been many applications for my release. To mention one, Mr. J. J. Kelly, an employee of the U. S. Custom Service for 40 years and an old friend of mine, was told by Dr. Maddux, the acting Assistant Superintendent at the time, that I was entitled to my release. He told Mr. Kelly to put in an application for my leave, which was done, and Mr. Kelly came up to arrange the details, and was ready to sign the necessary papers and comply with every other requirement; this application was denied by Dr. Charlesworth, who had returned to duty. I have been told by a doctor that Dr. Charlesworth is definitely sadistic, and indulges to a certain degree his instinct for cruelty.

My case was a simple one; a case of blood infection of which there are thousands outside where there is one here. In making my commitment, the judge stated he would not commit me to this institution on the insanity charge or on any of the other charges; he said my tests showed a blood infection and he would send me to this hospital for treatment. When I arrived here Dr. Charlesworth told me that in some cases it required two years of treatment, or possibly

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three, and after a year's treatment I was granted a leave of absence to continue my treatments at home. You learned that it was right after this leave of absence was granted me in December, 1932, that my son made some arrangement with Dr. Charlesworth to keep me here as long as he could. I was 61 years old when I was sent here, and this after a 40-year record of continuous service of which I am proud.

When I reached this institution, any doctor should have known within a short time that there was no insanity in my case — and Dr. Charlesworth certainly did because he told my wife and a friend with her that he knew I was not insane; that he was holding me here for treatments.

The last trip my wife made up here was on December 17, 1934. She came up on December 12, 1934, and could not see Dr. Charlesworth then, but was told to call December 17th; she came especially to try and get me home. When she came up on

December 17, 1934, Dr. Charlesworth told her that I could go home just as soon as my treatments were over; my treatments were over in April, 1935, and I have been kept here ever since.

There has not been a single act or incident on my part, during all the time I have been here, or before, on which to base a charge of insanity, so discrimination may hardly be the word to describe the method here, because it is not forceful enough; but it is discrimination in the worst form. Included is a certain type of favoritism to those with influence; in other cases it is rank injustice and a definite violation of law. These methods constitute a criminal endangering of the rights of every citizen of the state. If you could know the numbers of sane, perfectly normal men and women forcibly held here for years, you would understand the lack of simple justice and common decency that prevails in some of these cases. And investigators say they are often held because of their free labor value — and to keep the place full of patients.

Will write you more later about other matters you brought up. Have heard nothing further since my last letter.

Sincerely,
Lou.

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Imola, Calif., August 25, 1937.

Dear Mr. Attorney:

After writing my letter to the Medical Superintendent of July 20th, I received word from my brother-in-law that he could not come down for some time on account of orders for Vancouver.

Whatever I have written you in past correspondence does not adequately describe conditions here. The longer one is here the more one learns of the extent and scope of the unbelievable practices and methods of management that make the institution a disgrace to the state. I wish I could write more convincingly or help in some way to correct some of these methods.

Yours very truly,
Luther Osborne.

Imola, Calif., September 25, 1937.

Dear Mr. Attorney:

I received the word you left for me Thursday. I have been disappointed so often in my efforts to obtain my release that I was not greatly surprised, although hoping they were ready, but apparently Dr. Charlesworth is in full charge, as Dr. Scanland cannot know the facts of my case. I understand why Dr. Charlesworth opposes my release, but I don't believe any other doctor here opposes it. There is no doubt about the one-man control in my case and it is clearly an evasion of responsibility by the Superintendent — or almost criminal indifference.

To me this seems to be one of the most serious things that can happen to a man of my age. I am almost beginning to believe my brother-in-law when he says they are deliberately trying to make me sick — or worse. If there is such a thing as a calloused soul of a man, an utter disregard and flagrant violation of law, of constitutional and human rights, and a denial of simple justice, common decency and fair play, combined with what may properly be termed a sadistic delight by inflicting mental torture on a helpless patient, it must be here in one of its most pernicious forms in the handling of some of these cases. Discrimination of the most objectionable type is carried on and certain forms of political and other influence is effective

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in many cases. Serious charges of bribery are made at times with moral certainty of the truth of the charges, but without legal proof.

If the authorities will not release me, I certainly want my case taken to court if I can have it done. I have every confidence that any judge who understands my case, will order my release.

Yours very sincerely,
Luther Osborne.

Imola, Calif., October 14, 1937.

Bill:

Have written you several times that I expected to be home. I am over a month behind in my guess — but that's pretty good for this place.

What I am writing about today is to say that I expect to be home by the end of this month, and in the meantime, want you to know of my plans.

L. O.

Imola, Calif., November 3, 1937.

Bill:

This is November 3rd, and I haven't heard a word from you since October 15th; I have written you four times. My case has been set for November 8th and I expect to be home November 9th.

L. O.

While the testimony of the doctors at the habeas corpus proceeding of November 1937, was for the sole purpose of keeping me in the disgusting, and even terrible place, it is not reproduced because of its length. The decision of the judge did not release me, but it did bring about my later court hearing in my own home city.

Imola, Calif., November 9, 1937.

Dear Mr. Attorney:

With reference to my case, I do not understand all about it, naturally, because I have had but little experience in these matters. I heard the remark that "it is there in the record," but did not know to what it referred. My statement is that there is a great deal of matter in the record of my case which is false, and I could prove that if I were

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out of this place and able to see the people and records I could prove it with.

I am much disappointed over the decision, of course, and more than ever amazed, but not a bit discouraged. I think your handling of the case was fine and that the point you stressed, that I am a normal, sane man, was the important thing. That is what I understood this hearing was for — to release a sane man from an insane crowd. A great deal of the testimony and discussion was about matters that happened years ago and was not exactly relevant to this effort.

The three witnesses that I have been in daily contact with for over five years testified I was a normal man. Dr. Charlesworth's testimony was far from satisfactory, of course, as he was on the other side and was the only one I have ever heard say that I was not sane.

Without a motive of personal profit I cannot understand how any doctor in his right mind can order or advise the further detention in this institution of a patient of my type with a continuous six-year record here of the best, and without a single act or incident to indicate any form of insanity. I believe it is a violation of the rules, ethics and tenets of professional conduct and a flagrant violation of the elements of decency and fair play. Dr. Charlesworth testified that I was a first-class patient. Whatever "home made" rules I have not observed, such as writing letters, has been done for a specific important purpose which could not have been accomplished in any other way, and which any normal man would do and is doing. I cannot help but believe that there is some personal motive for the handling of my case which is not only unworthy in

character but in direct violation of the laws which enable them to keep me a prisoner as well as a patient.

Sincerely yours,
Luther Osborne.

Imola, Calif., November 9, 1937.

Dear Frank:

To continue my letter of last week, the court hearing on my habeas corpus petition was held November 8, 1937. It was ably and splendidly presented by my attorney and the witnesses were mostly good. The doctors from the hospital

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did not help me, of course, and there is an evident feeling among many that the court is opposed to interfere with the hospital authorities, regardless of the merits of the case. It is said the record of past years bears this out.

Anyway, the court did not order me released and we are still continuing our efforts, which I feel sure will be successful.

To me it is a most remarkable condition that one or two men, or a staff of men, can handle a case like mine the way it has been handled for six long years. Our witness said that staying in this place was probably more of a strain on me than handling my own affairs would be. My attorney made practically the same remarks to Dr. Charlesworth on the stand, when he said that staying here was more irritating than anything in connection with my work at home. That two doctors, or a medical staff, have the nerve to say that I should stay here longer after keeping me here six years, is about the limit. Keeping me here is the worst possible thing that can be done in my case, and every doctor who knows anything about my case, knows that. I will have far more healthful work and healthful living conditions in my own home.

I am usually at the dairy at 5:15 a. m. every morning, Sundays and holidays included. Go to breakfast at 6:30 a. m., back by 7:15 a. m. Straighten things up and do the first batch of work until 10:00 or 10:30 a. m.; not much then to do but incidental things until after lunch at 12:30 noon. After lunch I work at various things until 3:30 to 4:00 p. m. After dinner, which is over about 5:00 p. m. I stay in the office at the dairy and read until about 8:00 p. m., which is bed-time. I cannot stand the crowd here and neither could you or any other sane man without forcing yourself to it. I never attend any of the amusements here, like the moving pictures and dances, because of the surveillance necessary for a majority of the patients, so my existence here is perfectly lovely and so uplifting and helpful? — (read that and weep!)

Notwithstanding the unlawful and unjust detention of sane patients, as you write, the effort is apparently made in some cases to make a patient positively sick by the

handling of his case. Not only is the hideous experience

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of a sane person being unlawfully imprisoned in an insane asylum continually impressed on the patient by their “home made” rules, and routine, but at times a deliberate attempt is made to make a patient “blow up,” as they call it, so they can have some excuse to discipline them, however unimportant the excuse may be. In some instances the management of some of these cases is made to intentionally involve matters that are none of the doctor’s business by any stretch of the imagination, and continued persecution of the patient by this method over a long period, practically amounts to murder in some of the extreme cases, and in the absolute wrecking of a human life in others.

In my particular case it is increased and unreasonably rigid discipline and control because I have had the courage to question their methods. I am being penalized for daring to write and express, in a respectful manner, my opinions and the reasons why I hold them.

Sincerely,
Lou.

Imola, Calif., November 12, 1937.

Dear Mr. Attorney:

Can I secure a written copy of the testimony in my case? I am particularly anxious and interested in proving Dr. Charlesworth’s statement that I am not sane, absolutely false, and I have first-class authority for that from other medical men of far greater capacity and learning than he ever had; and this applies to other statements he has made. In this respect I would be particularly pleased to match my own mentality and sanity with his or any of the doctors here, or anyone else responsible for my long detention here. If the doctors who are holding me here, had as good a brain and mind as my own, I wouldn’t be here.

Sincerely yours,
Luther Osborne.

Imola, Calif., November 14, 1937.

Dear Frank:

Since writing you on November 9th have been “thinking” over my case pretty thoroughly the last week. Today is Sunday and I might as well write you about some of

my ideas and what I think of the developments, primarily

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connected with the court hearing of my habeas corpus petition. And I will stick to facts and a reasonable attitude, without prejudice or emotion, and write in a more or less impersonal way about the vital facts and what I consider a flagrant violation of constitutional and human rights, of state and federal law, and a gross abuse and miscarriage of simple justice. I might mention here that the Bill of Rights of the U. S. Constitution and Sections 1 and 3 of Article I of the California Constitution, do not apply to my case at all in the minds of those who are in charge of it.

In this respect, I don't believe my rights or interests were considered at all by the court and that the adverse decision was more or less a matter of policy and almost routine, you might say, regardless of the facts. This statement may seem to show prejudice, but others with no interest in the case at all, have the same opinion and cite the record of years.

This case of mine is of more importance to me than to anyone else in the world, and what would be possibly annoying to an outsider is strikingly important to me. I consider my last five years' forced detention here a ghastly travesty on justice, and by that I mean a hideous abuse of power against helpless patients made possible by the existing conditions in the institution and controlled by a man or men utterly unfit for the responsibilities involved.

The attitude of the hospital side seemed to be that I was guilty of something and should be punished for it — five years' detention wasn't punishment enough. They brought up many things that had nothing to do with the hearing — for instance, the old chestnut about the report of your death, which came from Bill and for which he will later blame your wife. They submitted my commitment papers as if they were statements of fact when you and others know they are mostly lies, and I believe they know many are false. They can't help but know that some are false from what little investigating they have done and from their contact with my affairs. They brought up a record of some discussion with me about the oil land I had in the Cuyama Valley, and used that as basis for the talk of "delusions of grandeur." As if I ever had "delusions of grandeur" after my 40-year record of economical business

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management, to acquire and accumulate what I have now, after a lifetime of long working hours and unusually hard work.

Am feeling fine as usual, but will be tickled pink when I can get to my dental work.

Sincerely,
Lou.

Dear Mr. Attorney:

The experience of the last week or more, confirms the impression that this is one of the worst hell holes in the state, if that description may be permitted. Assuming for the sake of argument, that the hospital doctors' statements were true, (and they are as far from the truth as saying black is white) their methods of management, the petty reprisals, the stupid and childish punishment of a helpless patient for trying to help himself in a legal and reasonable way, show clearly there is not a vestige of simple justice or common decency in the handling of some of these cases. In my case the statement was made that I had not recovered. The inference is, of course, to stay here longer for further recovery. As if there was a grain of common sense in the idea that after six years in this place, it would be better to stay here than in my own home. It is worse than ridiculous — it is idiotic. It is exactly what should *not* be done — any doctor knows that.

Another statement that I had suffered some trouble which would not cure up, is worse than idiotic; other doctors say I have no such trouble. According to court attaches it is not the judge's policy to interfere with hospital affairs — God knows they need it.

While this case of mine may have become more or less of an obsession with me, it is the most natural and normal thing in the world that I should feel that I have been unjustly and unlawfully treated the last five years. If there is no motive of personal profit, there is no explanation that is intelligent, and the handling of my case has been a colossal and serious blunder.

Sincerely yours,
Luther Osborne.

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Imola, Calif., November 16, 1937.

Dear Frank:

Continuing my letters about the court hearing: On the witness stand Dr. Charlesworth was asked if I was sane. He answered, "No." On one of her trips here to see me, Dr. Charlesworth told my wife that I was not insane; that he was holding me here for treatments. I wrote about this in one of my letters to the Director of Institutions. He also told Mr. Kelly that I was not insane, and that I was being held here for treatments. It was obvious when he made the statement that "I was not sane," that he knew it was not true.

Now, mind you, I have not been sick a day during my six years here; I have never been sick, and have U. S. Government official records to prove that for 37 years. There

has not been a single act or incident on my part, in my entire life, on which to base a charge of insanity. They know my daily record for every day I have been here; they admit it is of the best. Dr. Charlesworth stated that I have been a first-class patient and has told the ward attendants that I was an exceptionally fine patient; that attendants have said the same. And yet, because he says I cannot be “completely cured,” I should not go home. (Can you beat that?) Other doctors say, “that is not so,” and that I should go home, — and I could probably find a thousand that would say I should go home. If I had a broken leg, something tangible, or broken bones that an x-ray would show a definite injury, some of these statements might sound reasonable.

Dr. Charlesworth’s statements are about my mind. He assumes to know something about men’s minds that the wisest men that ever lived say no one can know. That sometime in the future (maybe in a hundred years?) I will have some kind of trouble with my mind — and that he has kept me here over six years for it to show up. (Do you suppose you could find another such a man or doctor on the face of the earth? — Whataman!)

In the meantime there are thousands and thousands of men and women who have had this same blood infection in a more severe form than I have, living their normal lives

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in their homes, and who are living proof and evidence of the absolute falsity of such a claim.

And to add to the confusion, a great many patients with this same blood infection, have been released before their treatments were over, and are living their normal lives and taking their treatments at home — which I was supposed to have done in December, 1932.

If anybody has or can give one good reason why I should stay in this place another day, I have never heard it — and I have been trying for years to overcome this damn nonsense.

It is all so damn absurd that one wonders how any adult in his right mind can seriously offer such an explanation for holding a patient of my type here for years. The very fact that a person is under a charge of insanity, will allow almost anything to be put over — and believe me, Dr. Charlesworth certainly takes advantage of that fact.

Lou.

Imola, Calif., November 20, 1937.

Dear Mr. Attorney:

This letter is written to further explain the matter I discussed with you, and to express my deep appreciation of the way you are handling my case. I learned that

nobody had been denied permission except myself, and it shows the revengeful, childish method of making things disagreeable for a patient. The whole procedure is almost unbelievable and I am reliably informed that it is all done by Dr. Charlesworth, and that he was responsible for my trip this morning, which is the first time it was ever done with me in the more than five years I have been here. If that isn't mean, petty discrimination of the most vicious type, I don't know what it would be called, and, as I have been told by others, not the action of a sane, normal man.

I would greatly appreciate any help for a let-up of these unreasonable restrictions. For twenty-five years I have made a practice of walking and under present arrangements I am denied that. Maybe if someone could tell or show Dr. Charlesworth, in an exceptionally nice way, what a fool he is making of himself over my case, it would help a lot. I would do it, of course, except for the fact that anything that I could possibly do, would only make it worse.

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But if something like this could be done, it would probably be the best thing on earth that could be done for him, forgetting all about my interest in the matter. This is not only my opinion, but the opinion of others who happen to be in a position to know; there are many here who do not approve of his methods of management.

Sincerely yours,
Luther Osborne.

Imola, Calif., November 22, 1937.

Dear Mr. Attorney:

The more I think of the doctors' testimony, the more I think it should be and could be discredited; some of it I don't think they believe themselves. I have had many discussions about my case during these six years, have made a study of it and believe I understand it thoroughly — and much better than any of the doctors here. In fact, I think one of the remarkable facts about my case is that the doctors here know so little about it — and that they know practically nothing about my present condition, or the fine condition I have always been in; this is true medically, as well as from any other standpoint, and it will be fully proven by outside, competent medical men.

I am told that Dr. Scanland knows practically nothing of the details of these cases, except those he is interested in or which are brought specifically to his attention. In these cases he decides them as he wants them; in others they say Dr. Charlesworth is the "big cheese in every case."

Sincerely yours,
Luther Osborne.

Imola, Calif., November 22, 1937.

Dear Bill:

Have been disappointed — again — on my dates. Expected to be home on the 9th. Our first effort was not the best plan and the next one will be brought as soon as the court calendar will allow it to come up. You will be advised of that later.

Will hope to see you some time next month, but from the looks of the calendar they tell me it will be nearly the end of next month — unless something is done without court action, — which you could do or which we may be able to do, but probably won't try.

L. O.

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Imola, Calif., December 1, 1937.

Dear Mr. Attorney:

Because I think you should know some of the things I have written about, that may not have been included in copies already sent you, I am enclosing a copy of my letter to Harry woods, dated November 30, 1937, an old friend of mine now in San Diego; if you can find time to read it, it may help in some way, and the information in the paragraphs outlined, I don't believe I have given you.

I wrote a short note requesting permission to purchase orange juice and other aids to health I have been using for years and mentioned the benefit I have received from the walks; it had to be taken up with Dr. Charlesworth — and it was refused. This is mentioned only as another instance of the complete control of my case by Dr. Charlesworth, whom I haven't seen for years; every detail submitted to a doctor who never sees the patient and knows nothing about his condition — this is scientific medicine at Imola. And there are cases other than mine with as bad or worse complaints, but maybe not so articulate.

The next month, or rather this one, will probably be the worst yet because of the restriction and my bad teeth, I guess. I'm like a shipwrecked sailor — I'll do anything to save my life; and, in some cases, existence here is just about that — trying to save your life. These coming weeks might be a good time to write some comments about the doctors' testimony: I can write of it from my viewpoint and it might be helpful.

Sincerely yours,
Luther Osborne.

Imola, Calif., December 3, 1937.

Dear Bill:

You write: "I am sure that the doctors up there are not very well pleased with the legal proceedings in process." Well, I should hope not; nobody expected they would be. And I am told they will not be at all pleased when these proceedings are completed.

You write about my Napa dentist; I have been to three and only go when I have to. I don't want any arrangements made with any dentist under the conditions imposed

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by Dr. Charlesworth. I have been too frank and outspoken, and have been penalized for telling the truth.

I will handle my dental work myself, and will have it done at once if I can have it done right, without interference.

Send the doctor a copy of this letter if you want to, or any part of it.

Luther Osborne.

Imola, Calif., December 10, 1937.

Dear Bill:

I am enclosing a copy of a letter to Harry Woods. I met him with Frank when they came up from San Diego years ago on some kind of a bowling contest; you may have met him. He came back to San Francisco shortly after that and I secured him work in the commission market where I used to buy many things for the restaurant. I used to see a great deal of him in those days and the last part of November heard from him in San Diego.

In my letter to you of November 22, 1937, I wrote that we would probably not try to obtain my release from the hospital authorities here, but that you could. I have heard that my case has been filed with an Oakland court and will be heard as soon as the court calendar brings it up; you will get notice of that.

It has occurred to me that you might prefer to obtain my release without this court action, and I am writing this letter to give you this opportunity if it is of any interest to you. My court hearing in Napa was preliminary to this action, and if you want to please the doctors here and save me some court expense, and probably yourself, that could be arranged I think, and the result would be about the same, and would not cost as much. I do not know, of course, what correspondence you may have had with the doctors here, but this is a suggestion for you to do with as you think best; either way will be satisfactory to me, after my long stay here.

Love to all,

Imola, Calif., December 16, 1937.

Dear Mr. Attorney.

The enclosed copies of two letters will show another instance of the childish, stupid, almost sickening handling of my case, my health, and some of my affairs. They are the tops here for interfering with things that are none of their business and neglecting and ignoring things they are employed for.

I am much disappointed that I did not get more information from Dr. Meyers when he examined me a year ago. I supposed, at that time, he would be with my case until I had obtained my release, and failed to get details that would be helpful now. I remember enough to know that the testimony of the doctors at the Napa hearing can be disproved and discredited, and he told me they could make my case worse by faulty record. He also told me that Dr. Charlesworth did not know what he was talking about.

Sincerely yours,
Luther Osborne.

Imola, Calif., December 21, 1937

Dear Harry:

Continuing my letter of yesterday in answer to yours of December 14th, I meant to have written that I enjoyed the account of your trip to the border. Some years ago I made the trip by steamer from San Francisco and had a splendid time; thought Mexico was very interesting, but didn't see enough of it.

With regard to your questions that I left for this letter, I will write you some of the things Frank has written to me. You will understand, of course, that being cooped up here, I am working and writing under a great disadvantage. I cannot learn of these things as Frank can, or as anyone else can, who is free to investigate and look them up. Frank has spent a great deal of his spare time on my case for three years or more, and has helped me more than I can ever repay.

Frank is particularly sore about Dr. Charlesworth's handling of my case because he says that was directly responsible for my wife's early death and the misery it caused her during the last years of her life, as I wrote you. In his last letter he wrote that this doctor was a "contemptible

excuse for a man, a miserable apology for a doctor and a disgrace to the profession.” That his name should be removed from the membership roll of the medical association, that contains many names of worth-while, brainy men of the state.” He writes that the handling of my case could be called a conspiracy against our own state laws, that he knows many false statements have been made, and believes that false records have been made, regarding it. He uses some big words when he writes “It is assassination of truth and the demoralization of all the forces of decency.” He writes further that many people he has talked to about my case, are appalled at the vicious and discreditable procedure; that my case was a gross frame-up and no effort has ever been made by any state doctor or official to ascertain the truth; that my forced detention here is a repudiation of the principles of truth and justice, and that doctors employed by the state to protect and help patients, are wrecking their lives. He also writes that he has traveled all over this country and through my case has come in contact with the lowest level of manhood he has ever encountered. You received a copy of my letter to him about my last experience in being deprived of all outside liberties, even to the prevention of my dental work. About this he writes that my “nemesis,” meaning the doctor, of course, probably hopes it will make me sick to justify his handling of my affairs; he calls it “the brainless method of a brainless doctor of a brainless institution.”

This is Frank all over and I don’t blame him. My experience certainly signifies a danger to every citizen of the state; it is no illusion or delusion and the methods and procedure should be changed without compromise — and they would be if the general public knew that these conditions exist.

As I have written, the average citizen has no idea of the conditions here — and wouldn’t believe it. It is the cumulative effect of years of extraordinary mismanagement of matters that should be handled with simple justice — and haven’t been.

With the best of all good wishes.

Sincerely yours,
Lou Osborne.

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Imola, Calif., December 21, 1937.

Dear Mr. Attorney:

The enclosed copy of a letter to Harry Woods, dated December 21, 1937, can be added to the collection. I am getting a little tired of all this name calling and other disagreeable features of my correspondence, but there seems to be no way to avoid some of it. While it is no doubt true that my letters and statements have had a great deal to do with my long detention here, that only makes matters worse for those

responsible. I am not being held for any medical reason, nor because I am not sane — as Dr. Charlesworth says. I am being held here because some of those responsible for keeping me here are cowards, and likewise liars.

My letters, statements and opinions express a right given to every citizen by the laws and constitutions of the state and nation. We can say and write what our opinions are, and that right is guaranteed to everybody by the First Amendment to the Constitution of the United States — which is Article I of the Bill of Rights. We may be punished if we defame or injure anyone, but that is for the courts to decide — and not by an incompetent doctor who is given some authority as an employee of the state. The exhibition of incompetency and petty, childish, vengeful methods of management is sickening — the matter of my dental work being the last jolt for me.

In looking over old correspondence I have come across Article I, Section 1, of the Constitution of California,

“Section I. All men are by nature free and independent, and have certain inalienable rights, among which are those of enjoying and defending life and liberty; acquiring, possessing and protecting property; and pursuing and obtaining safety and happiness.”

Frank wrote some time ago that this should apply to my case and also Article I, Section 18, of the Constitution of California, and Amendment 13 of the Constitution of the United States, both of which prohibit “involuntary servitude,” which my work here has been for six years, and which has now degenerated into a form of slavery with no outside activities or liberty allowed at all.

L. O.

CHAPTER VIII

With another year worse than wasted at the end of the year 1937, I was still more than ever convinced that everything was bound to come out all right, and more determined than ever to make it. The incompetency, bluff, and petty exercise of “saphead” authority by those in charge of my case, reminding one of a vicious child pulling wings from living flies, was becoming apparent to others besides myself, and it was almost a foregone conclusion that their stupid bungling of my case could not last much longer.

After the court hearing of November, 1937, they started their petty persecution of me by gradually withdrawing the few privileges and freedom of movement that were allowed the workers, and finally transferred me to a locked ward in the main building, from which I was finally rescued by the best attorney and the best friend that I have ever had the good fortune to know and work with during my entire life.

As this friend of mine stated: “They had the sadistic enjoyment of keeping you locked up for five weeks — but they would have kept you there for life if they could have put their plans over.”

And this is California!



Imola, Calif., January 10, 1938.

Dear Mr. Attorney:

Have not yet received an answer to my letter of last month to my brother-in-law. This was over two weeks ago, but as he was so uncertain about his movements, I am not surprised.

Have had some discussion about my case during the last month or more, which I could not very well avoid. It is with employees and outsiders who are well posted on matters

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pertaining to the institution and who seem to be much interested in anything of this kind. The outstanding criticism of those who know the details, seems to be the gross absurdity of the statement of Dr. Charlesworth that I could not have mental health because of some physical trouble I have had. According to some it is so ridiculous it should be laughed out of court, as he knows I have both my mental and physical health, and probably better than his own.

I am also reliably informed that relatives and friends of patients, or anyone making inquiries about a patient, are intentionally given an exaggerated account, or statement, or explanation of the seriousness of the patient's condition. Regardless of the condition of the patient, it is a "serious" case, and that is emphasized from the start. Whatever the case may be and however it may turn out, the advantage is on the side of the doctor, that every case that comes here is a "serious" one.

This method is continued in some cases to the complete discouragement of the relatives and friends of patients and sometimes means their utter abandonment. This practice helps to keep the patients here longer, they are easier to handle when they are discouraged, and it materially helps to keep the place full. It is one of the many conditions that give the doctor all the advantages, unfair and otherwise, and demonstrates that in this particular the interests of the patients are completely ignored. It is one detail of a vile system, and illustrates the utter helplessness of the patient. It also demonstrates what one man can do when conditions are right, and what a disgrace it is to the state, or to any civilized community, where such a thing is possible.

I would like to state again that I don't believe there is an intelligent, sane man living who would subject a man of my type and age to the experience I have been through for over five years, without a motive of personal profit — or its equivalent.

Sincerely yours,
Luther Osborne.

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Imola, Calif., January 19, 1938.

Dear Mr. Attorney:

Have just heard from my brother-in-law in answer to my last three letters; he is in Chicago and hopes to get out to the Coast soon, and is trying to get the California territory again. He does not know how long he will be in and around Chicago but will let me know just as soon as he knows what his plans will be.

Have been thinking over the doctors' testimony at the court hearing November 8, 1937. Dr. Charlesworth stated, in answer to the direct question, that I was not sane; Dr. Meyers told me I was perfectly sane and that "any doctor" would know that. I believe that, of course, because I *know* I am not insane, and I am very sure that Dr. Charlesworth knows it too. As poor a man as he is for the position he holds, he still has sense enough to know that I am perfectly sane; but I don't think he has sense enough to know that he can't put my case over as he is trying to do. He is attempting to "save face" and justify his handling of this matter, and will find it impossible — but won't admit it until he has to. This is a fine condition that a man of my record in this state and in this community has to face — it is worse than unlawful, and I believe it is

criminal. And I don't believe there is one other doctor here who would state under oath, in answer to the direct question, that I was insane, as Dr. Charlesworth did.

Anyway, I would like to suggest that it would be a good question to ask Dr. Charlesworth if he thinks I should stay here indefinitely? Evidently he does, as he has kept me here since April, 1935 (two years, ten months) without a "ghost" of a reason. He told my wife in December, 1934, that as soon as my treatments were over I would be sent home at once, and they were over in April, 1935; he also told her I was not insane and that he was holding me here to complete my treatments. I don't think there is another doctor on earth who would handle my case as he has, except those who would do it for personal profit or an equally unworthy motive — and then they would use better sense and judgment in details.

My whole case is full of lies, commencing with the complaint to obtain my arrest, on through the commitment

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and continuing during my time here; all for the purpose of keeping me here while they have raised hell with my estate and my affairs generally.

With the outsiders over whom he has no control, Dr. Charlesworth is affable and courteous. With patients his methods are based on fear, bluff and human misery. In some instances he is the acme of pettiness and stupidity; in others he is the typical bully over a lot of incompetent, scared, weakly people, most of them physically and mentally incapable of making any resistance or protest. He is absolutely unfit for his position from the standpoint of a square deal or on the broad grounds of humanity.

There are many things in these letters of mine that I have written before, I guess, but I reiterate and repeat many things to emphasize, if possible, the rotten conditions that exist here — and they are preventable conditions. The punishment for some of these vile practices should be the same penal ties they inflict on others.

Luther Osborne.

Imola, Calif., February 16, 1938.

Dear Mr. Attorney:

Since my conversation with you I have been wondering if there isn't some way to prevent these terrible delays in my release. I am not worrying about the final result, but there is not even simple justice in keeping up this persecution of me in the meantime. The last instance of refusing to let me go to Oakland on February 11th is an interference with the orderly process of court procedure and an attempt to be the court as well as the doctor. This will be repeated in everything that is done and the strain is becoming unbearable. The man responsible is a moron who has a definite psychosis

and what may be called a sadistic rage. He also has the jitters and will block everything if he can.

I am planning to bring in another friend on my case and will let you know the details as soon as I learn them. This friend suggests that as a taxpayer and citizen of this state, I have every right and reason to complain about the Director of Institutions allowing a man of this type to occupy a position of authority in a state institution. I believe I can prove that a patient in a state institution has

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some rights, and can show contributory negligence in the deaths of five patients I knew personally during my time here.

If there is any place in the state where certain people can get away with murder, it must be right here.

Sincerely yours,
Luther Osborne.

On February 22, 1938, I was transferred to a locked ward in the main building. I had been writing most of these letters to my attorney, but some to the Superintendent, my ward doctor and my son. They had been making it as disagreeable as possible ever since the court hearing in Napa in November, 1937, and evidently hoped that this would put me out of circulation for keeps. I could do nothing but sit in a large, long, corridor-like room and read. We were herded out into a yard for two or three hours when the weather was good on some days, and it was more uncomfortable to some patients than their jail sentences had been, according to their statements; there were several patients with jail records in the ward I was sent to.

During this time two friends of mine called at the hospital, but were told they could not see me. Upon pressing their request, they were told that I had been locked up for breaking some rules. They knew all about it, as I had been locked up the same way for writing perfectly respectful and reasonable letters in July, 1934; these letters were frank and truthful and I was punished for daring to write the truth about their methods and activities.

My friends continued their work and my attorney was fully advised of the developments, and confirmed it himself personally. Work continued on my case and on March 30 and March 31, 1938, I had a court hearing in Oakland, which resulted in my complete freedom.

This released me at once from the vicious nit-wits who were state officials, and who had been making a hell-on-earth for me and many others, for six long years.

Again I repeat, I was fortunate to escape with my life.

And, this was still California.

Oakland, Calif., April 3, 1938.

Dear Frank:

This is Sunday and I want to write you more about my court hearing in Oakland last Wednesday and Thursday, March 30th and 31st. I wrote you that short note Friday, April 1st, which I suppose you have received, but, of course, did not have a chance to write much — and today's letter will not be long.

We came down from Imola last Wednesday morning by auto. The first day's session was completed about 4:30 p. m. and I stayed in Oakland Wednesday night. I would have been taken back to Imola that night and brought back the next day, if my attorney hadn't objected.

The next day's session was completed about 3:30 p. m., the case went to the jury about 4:00 p. m. and within five minutes, or time enough for them to take one ballot, they returned to the court room with a verdict giving me complete freedom.

Of course, I could write you pages — it was intensely interesting — but I won't do that today. My attorney was wonderful and I don't know how the case could have been presented better, or, one in a thousand cases, as well. My witnesses were fine, and the other side did their damndest to keep me in the damn place. The wonder grows how such a condition is possible in any state in the union.

I was personally congratulated by many people I had never seen before, who had been present both days. In fact, the whole proceeding was a vindication of my side of the case, and a complete repudiation of the efforts of the hospital doctors to continue their vile, vicious and rotten schemes or plans to keep me locked up in the miserable institution that is called a hospital. A few who talked with me about the details, said the two doctors who testified were completely discredited.

This whole thing bears out your idea of the place and justifies the fine efforts you have made in my behalf. I will never forget that, Frank, of course you know.

Anyway, it came out as we both knew it would come out eventually, but it was some fight just the same, and shows clearer than ever the rotten conditions in one of our state departments.

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Will write you more the coming week and give you more of the details of the court hearing and the past month or more. While I feel better today than I have for six years, I can't forget the awful situation some of those fine fellows are in today, in that hell-hole near Napa.

Hope to hear about your plans when you write.

With all good wishes,

Sincerely,
Lou.

Oakland, Calif., April 3, 1938.

Dear Mr. Attorney:

After leaving your office last Friday, I went to the Hospital. I fixed up my affairs at the Secretary's office, went out to the dairy and secured "*most*" of my things (may write you more of this later) and arrived at my home in Oakland about 5:00 p. m.. So, I am living at the same old place that has been my home since the year 1899.

After dinner I went home and slept more than ten hours during my first comfortable night in nearly seven years. Maybe you can imagine how I appreciate what has been done for me.

During the past several years I have been studying my case as well as I could. Tomorrow, Monday, April 4, 1938, I am going to commence two days of complete examination, and one-half of the third day for the finishing touches. This will take me through Wednesday and by the end of the week I will know exactly what condition I am in, from an examination by the best medical skill on the Pacific Coast. This can surely be called real scientific medicine, and whatever treatments may be necessary will be determined and given me under these conditions. Maybe I am somewhat enthusiastic, but if you could realize the difference between what I have had and what I am going to get, I think you would understand.

Have probably made this letter too long already, so will close by again expressing my more-than-earnest appreciation of the wonderful help given me by yourself and the one friend who has been a friend.

Will probably write you again shortly, as I am anxious to keep in more or less constant touch with you. During

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the week following my examinations, I may be able to get down to business and take up details with you.

I want to close this by writing that I feel it an honor just to be

Sincerely yours,
Luther Osborne.

Oakland, Calif., April 6, 1938.

Dear Mr. Attorney:

This is Wednesday afternoon and I have finished the best and most thorough examination and tests I have ever gone through in my life; two days in a suit of pajamas and a lounging robe when sitting up.

I am told that I have not been having the best treatments for my condition — during the three years which I received them between January, 1932, and the time they were stopped in April, 1935. That if I had been receiving the best treatments during that time, I would probably have had no recurrence of this trouble and my tests would probably have shown negative — in other words, that I would have been completely cured; there have been three doctors on my case.

That, in a general way, is the way my case shapes up. The doctor says I am in good shape, and in answer to my query says of course I will be completely cured. Anyway, I am so entirely pleased with the whole procedure that I would like mighty well to be able to help some of the unfortunates I know of — and I know of more than one who have held up as long as they were able and then passed out, because they did not get the right help and were not allowed to help themselves — and it's all wrong. I will not write more of these particular cases now, but you will be convinced some day of the things I know to be true.

With best wishes in the world for you and yours, I am

Sincerely yours,
Luther Osborne.

Oakland, Calif., April 10, 1938.

Dear Mr. Attorney:

Your splendid letter to me of April 6, 1938, was just what I wanted; I refer particularly to the paragraph about the “health” business. I like to have my understanding

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of these important matters questioned, and I am altogether interested in the treatments and philosophy. After my first week with these people, I am more than ever convinced they are just about all right, and then some, and I shall take pleasure in convincing you as we go along.

Have had a very busy week. Had all my teeth extracted on Friday, April 8, 1938, by the best dentist in Oakland — Dr. Drury. Was in the dentist's chair at 10:05 a. m. and walking down Broadway at 11:15 a. m. Was instructed just what to do on Thursday afternoon, no breakfast Friday morning, was given gas, didn't feel a thing, completely recovered from the gas in 12 minutes, and all bleeding stopped about 1:30 p. m.

Otherwise, I won't bother you with any more of my troubles now, although everything has been a big kick to me so far, and some times even a thrill. After my

experience of the last six and one-half years, I believe I can qualify as a fairly good judge of human nature, and I am anticipating that my next six and one-half years will be more interesting and informing than the last.

With the best of all good wishes,

Sincerely yours,
Luther Osborne.

Oakland, Calif., April 17, 1938.

Dear Mr. Attorney:

Replying to your last letter received yesterday, this is Sunday and I have had a busy week. Am getting along splendidly and my doctor says I will be as well as I've ever been in my life. If that is true I couldn't ask for more, as I've been exceptionally lucky from a health standpoint since the day I was born.

Have only a short letter today, and want to write about another one of my experiences. If there is anything more unsatisfactory, absurd, unjust, unfair (and worse), than some of the conditions and methods that exist in that Hospital, I can't imagine where.

I wrote you April 3rd that I went to the dairy and got "most" of my things. After working at that place steadily for six years, doing the work as well as it was ever done, for nothing, I was locked up in Ward G on February 22, 1938, without a moment's notice, and held there until

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March 31, 1938. During this time the big boss of the dairy cleared out all my stuff that had accumulated during those six years (most of it in a locked closet of which he had the key), and threw a great deal of it in the garbage can — or at least that is what he told me he did with it.

This stuff of mine, which was thrown away for no reason at all, will cost me more than \$100.00 in cash to replace, besides many days of time — and it is stuff I will have to replace.

Moreover, this big (stuffed) boss of the dairy testified against me in court because during these six years I had accumulated these things — and this is America! Maybe if I hadn't accumulated "these things" I might be there today.

Sincerely yours,
Luther Osborne.

Oakland, Calif., April 28, 1938.

Dear Mr. Attorney:

Things are in pretty good shape as far as my own work and records are concerned, and I have found everything, so far, in fine shape from a business standpoint; — this confirms my statement when I told you my son is a good business man.

Am getting along fine with my treatments and my gums are turning out fine, the dentist says; — will be ready for plates in about a month. When I think of the time I was forced to lose, the needless cost and expense I was put to, the daily risk I was under, and the gross incompetence, and worse, that prevailed, I am more than ever amazed it is “legally” possible, and consider myself exceedingly fortunate to have escaped with my life. And there is a grave question whether it was “legal,” I am told.

Sincerely yours,
Luther Osborne.

Oakland, Calif., May 6, 1938.

Dear Mr. Attorney:

Your letter of May 2nd was received and I am sending this as I am anxious to make myself clear with reference to my last letter to you of April 28th, and your reply of May 2nd.

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The paragraph in my letter I have reference to is as follows:

“Am getting along fine with my treatments and my gums are turning out fine, the dentist says; — will be ready for plates in about a month. When I think of the time I was forced to lose, the needless cost and expense I was put to, the daily risk I was under, and the gross incompetence, and worse, that prevailed, I am more than ever amazed it is ‘legally’ possible, and consider myself exceedingly fortunate to have escaped with my life. And there is a grave question whether it was ‘legal,’ I am told.”

Your reply is as follows:

“There is not any question but that so far as the ‘legal’ proceedings in your incarceration are concerned they were technically correct. We have had considerable experience in endeavoring to secure the release of patients through technicalities in the proceedings. The Appellate Courts have uniformly held that the findings of the Court are conclusive, and in your case, the Court found all the necessary facts and declared all the legal formula to have been followed.”

There is not any question but that so far as the “legal” proceedings in my “*commitment*” are concerned, they were technically correct. My charge is that what happened after my commitment was “illegal,” “unlawful,” — and worse. If “in my case, the Court found all the necessary facts and declared all the legal formula to have

been followed,” it was with sole reference to my commitment and had no bearing whatever on the five years I was kept in that place after the entire medical staff had granted me a leave of absence to continue my treatments at home.

It is important in my case that these matters be made clear and complete, and I am writing in this detailed way for this reason; I hope it will serve some useful purpose.

With best wishes,
Luther Osborne.

Oakland, Calif., May 11, 1938.

Dear Mr. Attorney:

“Everything” is a pretty broad word, but most everything is working out fine. The doctor is going to discontinue my special treatments this week; he says I do not

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need them any more, and if he were like some doctors I know he would keep me on them for a few hundreds of dollars worth more. My regular treatments will continue until there is complete recovery. And I might add that some doctors I know kept me at work nearly, or more than, two years before they even tried to learn whether I needed more treatments — and wouldn’t have taken the trouble then if you hadn’t started them. Four “competent” physicians here, one a specialist in blood infections, don’t understand their methods and don’t want to hear anything more from them. I wrote you about this in my letter of April 17, 1938; have heard nothing further from them — and don’t want to.

With best wishes, I am

Sincerely yours,
Luther Osborne.

Oakland, Calif., June 12, 1938.

Dear Mr. Attorney:

At no time during my long stay at that hospital was my case handled as it should have been or as it could have been. Maybe they have a good explanation and maybe not; the wonder grows how they can get away with it as long as they have.

A good many things about my case seem to indicate a fine state of affairs in some details. For two accountings filed, the Superintendent of the Hospital has signed an outright lie that I was unable to attend the hearings of these two accountings and that statement to the Court is in my case file with the other papers. They went to

considerable trouble to keep me away then. That's fine business, and it must be an outright violation of some law, or some part of a law or procedure. It's a rotten trick, anyway, and this seems to prove it; I am enclosing a copy of my letter about it.

Sincerely yours,
Luther Osborne.

Oakland, Calif., June 14, 1938.

Dear Bill:

I understood you to say over the telephone that you would not do anything about that deed of the Oakland

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property from you to me, until after the final account is settled.

Just what the final account has to do with the deed, I don't know. I do know I paid \$2.50 at the Court House today for a copy of your final account, which was filed June 1, 1938, and set for hearing and settlement today, June 14, 1938.

We had this hearing continued to find out what was in the account, and your attorney told my attorney that he gave you a copy of this final account for me. He also told my attorney that "If Osborne isn't a good boy, he won't get this property back."

So, in whatever respect "Osborne hasn't been a good boy" (as he says), I can't imagine, and as this was evidently intended as a message for me, you can give your fine attorney this message with my compliments, "that he can go plumb to hell" — whatever that means; and I don't know what it does really mean — and don't want to. And I also care just as little, or less, about anything he says.

Awaiting your further pleasure.

L. O.

Oakland, Calif., June 19, 1938.

Dear Mr. Attorney:

The first thing I want to write about in connection with the final accounting is the second paragraph on page 2 of this final report and account which is as follows:

“All the property owned by said ward, or in which he has all interest, both real and personal, is set forth fully in the first report and account filed herein.”

I have a copy of parts of the inventory and first report and account filed. The inventory was filed January 31, 1934, and the first report and account was filed June 13, 1934.

In Division IV, Chapter IX, Section 1550, of the Probate Code it is provided that an inventory and appraisement of the estate must be filed within three months after the appointment, and in Section 1553 of the same Chapter, it is stated that the guardian must present his account to the Court at the expiration of a year from the time of his appointment.

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Bill was appointed November 12, 1931. The inventory should have been filed by February 12, 1932. It was filed January 31, 1934; two years and three months after his appointment, instead of three months.

The first report and account should have been filed by November 12, 1932. It was filed June 13, 1934; two years and seven months from the time of his appointment, instead of one year.

Just how serious this is, I don't know (not very, I guess, after I have seen what they can get away with.) Section 1551 of this same Chapter says the Court may revoke the guardian's letters for failure to comply and file an inventory within the time prescribed. It certainly gives time for some form of manipulation and is altogether against the interest of the ward and it may have a bearing on what this letter is all about — the paragraph quoted above — that “all” my property was set forth fully in the first accounting and inventory filed.

In many letters written to various officials during my years in that hospital, I have written that money that I left in my office when I was arrested without a moment's notice on October 5, 1931, was not accounted for in the inventory filed and that the inventory was not filed in accordance with law. That charge was based on reports to me by my brother-in-law, who saw the inventory and first account after it was filed.

There are several things that are wrong with the inventory, but I am writing now about one shortage of \$817.90, which amount was my personal money and which I was preparing for deposit, and which was on my desk at the Custom House when I was taken to the San Francisco Hospital that morning without being allowed to straighten up anything.

When I first had a chance to talk to my son after my arrest, about a month later at Imola, I asked him particularly about all the money I had left in my office in the Custom House; in the vault and on my desk. It totaled over \$1,500 in cash and I wanted to know what had been done with it. He said they had made a list of everything

of mine in the Custom House and had given everything to him. I asked him to check this list with me, so we could

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be sure everything was accounted for, but he refused and would never show me any of his records during his entire time handling my affairs.

I have been told it is almost impossible to open up an account already settled by the Court; I don't know what to do about this item. Bill was not at the Custom House when I was arrested and the report to me was that everything had been turned over to Bill; I have never seen the list they speak of. If it is not on this list, that is supposed to be signed by somebody in the Custom House and by Bill, it will probably never be accounted for.

I was always a methodical man and had a record for almost everything. When I was taken to San Francisco Hospital on October 5, 1931, everything was taken from me and I did not get them back until April 1, 1938, the day after my court hearing. When they gave me the envelope containing my things, the enclosed letter was in it. This letter, dated December 19, 1931, was to the hospital asking for a "small notebook" among my things.

I have never been able to get that "small notebook" since, and Bill says he don't know where it is, but supposed it was among the many things he has returned to me. It had a record of many current things right down to Saturday night, and among other information, the items this deposit of \$817.90 consisted of; I was taken to the San Francisco Hospital the following Monday morning.

However, this is a long letter about one item, but it's \$800.00 worth and I wish I could do something about it. Maybe I'm lucky to get this damn thing settled at any price, but I don't believe that yet. The hearing of this first account was one of those the Superintendent of the hospital wrote I was unable to attend; I was probably better able to attend than those who were there.

Sincerely,
Luther Osborne.

Oakland, Calif., June 21, 1938.

Dear Frank:

Replying to your letter of June 7th, I don't think so much of Johnson's suggestions about the "claim against the state" proposition, or that there is a chance of recovering

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anything from anybody, and I am not ready to do anything about it now. But some day in some way, I am very sure that I will make an effort to learn if these things can be put

over on a citizen, any citizen, of this state, with impunity.

The parties responsible in my case, would be the first to holler “murder” if it happened to them.

Will write about the other matters tomorrow.

Sincerely yours,
Lou.

Oakland, Calif., October 27, 1938.

Dear Frank:

Have received a long letter from Harry and it shows he has been putting a great deal of his spare time on this work in the south. He writes that he often wonders how long it will be possible for these conditions to exist, and that when one thinks what can be done “legally” with these commitments, it is appalling; — but does not think it is quite as bad down there as up here.

He also writes that when a sane man or woman can be taken from their homes on “framed up” charges, put in a state hospital and kept a prisoner for years, something must be wrong; that it is astounding that they can get away with it, as they have done for years and are doing today.

He mentions the routine and management of the hospital I was locked up in as a sickening revelation of incompetency and corruption which almost passes the bounds of credibility; that it has few redeeming features, if any, and surely debases and brutalizes many who come in contact with it.

Harry has interested some friends and wants to help organize an association or society for the patients in state hospitals in the southern part of the state, and hopes to make a trip up here next year during his spring vacation. He is very much in earnest and maybe all this work will accomplish more than some of us hope for.

Have you any more good news about your plans? Will write you more tomorrow.

Lou.

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Oakland, Calif., January 28, 1939.

Dear Frank:

As I wrote you last Monday, the court hearing of my petition to quiet title to some Oakland property, illegally conveyed, was heard last Tuesday and we were in court

Tuesday morning. It was decided in my favor and I am sending you a copy of most of the text of the decree of the court, leaving out the long descriptions and detail.

It is as follows:

IN THE SUPERIOR COURT OF THE STATE OF
CALIFORNIA IN AND FOR THE COUNTY
OF ALAMEDA.

LUTHER OSBORNE,	}	No. 150622
<i>Plaintiff,</i>		
vs.		
WILLIAM R. OSBORNE, and		
others,	}	Judgment in Quiet
<i>Defendants.</i>		
		Title.

The above-entitled matter came on regularly to be heard this 24th day of January, 1939, in Department 6 of the above-entitled Court at the hour of 10 o'clock a. m. on said day, the plaintiff appearing personally and by his attorney, and the defendant appearing personally and by his attorney, and the Court having heard the evidence and being fully advised in the premises rendered its decision in favor of said plaintiff, and the defendants in open Court having waived findings of fact and conclusions of law.

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED, that the defendants have no estate, equity or interest whatsoever in and to the land or premises hereinafter described and that the title of said plaintiff is good and valid as to said property and he is hereby declared to be owner in fee simple thereof.

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IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED that said WILLIAM R. OSBORNE and others, be forever enjoined and debarred from asserting any claim whatsoever in and to said land and premises adverse to said plaintiff, LUTHER OSBORNE.

Said plaintiff to recover his costs.

Said real property is described as follows, to-wit:

(Description left out — too long)

Done in open Court this 24th day of January, 1939, and presented and signed this 26th day of January, 1939.

JUDGE OF THE SUPERIOR COURT.

This closed one of the important problems brought about by my experience at Imola, and I will write about more pleasant matters in my next letter.

Sincerely,
Lou.

Many more reasons could be given why the administration of state hospitals should be vastly improved, than are shown in this story. The newspapers of the state are constantly printing details of "virtual railroading" of many persons to state asylums. The last one noticed declaring that commitments to state hospitals from some counties follow an old act declared unconstitutional.

As stated in another part of this story, plans for an organization for patients in state hospitals are being worked out, and the interest of every citizen of the state is desired. The association or society is planned to be without expense of any kind, the necessary work to be done by those who are intensely interested in correcting a vile condition for many helpless victims in the state.

There is a book being prepared that will be published to help in the effort to correct many inequities in the present laws covering these matters. It will contain suggestions, amendments, new laws and the repeal of some of the present ones, and will be written in part by some of the best legal minds in the state.

